

[ORAL ARGUMENT SCHEDULED FOR DECEMBER 9, 2016]
Nos. 15-1074, 15-1130

In the United States Court of Appeals
for the District of Columbia Circuit

AMPERSAND PUBLISHING, LLC, D/B/A SANTA BARBARA NEWS-PRESS,
Petitioner/Cross-Respondent,

v.

NATIONAL LABOR RELATIONS BOARD,
Respondent/Cross-Petitioner,

GRAPHICS COMMUNICATIONS CONFERENCE OF THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
Intervenor for Respondent/Cross-Respondent

On Petition for Review of an Order
of the National Labor Relations Board

**JOINT DEFERRED APPENDIX
VOLUME 5 OF 7**

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EXHIBIT A

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|------------------------------------|------------------------|
| Karna Hughes Employee Name | |
| Life Department | |
| Public affairs writer Job Title | |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|---------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 4/6/06 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| HR Department Signature | Date |
| | |
| Publisher's Signature | Date |
| | |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office☐ **Job Description Reviewed**☐ Changes made since last review☐ No changes necessary**SB News-Press Performance Review...**

Performance Management plays a key role in helping the Santa Barbara News-Press fulfill its future goals. The Performance Management System is designed to provide you with constructive feedback on your performance and assist you with maximizing your productivity. The program is a comprehensive managerial process for developing an environment that enables each employee to reach his/her potential in pursuit of organizational objectives.

After you and your supervisor discuss your performance, the evaluation form will be returned to you for your signature to confirm that a discussion took place. You may, if you wish, enter additional comments of your own. A copy of the completed form, with your comments (if any), will be given to you and the original will be on file in the Human Resources Department.

Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_KHUG0017

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

2.5

Comments:

Karna repeatedly is late with Public Square copy. She has been instructed many times over the years to have the Public Square page done two days in advance. That has been our standard since she started, yet there are many times when she does not follow this long-standing instruction. It affects the people who edit the copy, because they must set aside, say, a daily news story to edit the next day's Public Square copy.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

2

Comments:

With very little on her plate -- Public affairs writer is a misnomer because she doesn't do much writing -- she should be able to get her half-page of Public Square copy done a lot sooner. She needs to get in, get the copy done and get on to the next page. If she met deadline on Public Square, perhaps she could do more writing. With regard to her writing, Karna often budgets a story but doesn't follow through. Not sure if it's her lack of skills as a reporter/writer, but if she sets about pitching a story for the Life section with ample lead time, which it appears she does, she should be able to bring it in on time as budgeted.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:
Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:
Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

2

Comments:

Again, she seems to take quite a long time to put together half a page of Public Square copy. And considering the news hole on the page has shrunk recently, she really should have ample time to produce what is expected of her on time.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

2

Comments:

Her previous editor said Karna would wait until the last minute before mentioning that a story would fall through. She needs to understand that when she waits, others in the section must scramble to fill the hole -- and in a features section with long lead times, there really isn't any reason not to inform supervisors early on of a change in plans.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

2

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

2

Comments:

A hallmark of a good reporter is taking instruction from supervisors. Karna can be antagonistic when instructed to do a task she doesn't agree with. A supervisor provides instruction based on experience, knowledge of the task at hand and with an eye toward making the paper relevant to readers as well as with an eye toward ensuring the task -- in this case a story -- has a chance of coming in on time as budgeted.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

2

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

2.1

Karma Hughes 1/26/07
* See attached comments⁵
My signature indicates that this evaluation has been discussed with me. It does not necessarily imply agreement.

SBNP_PF_KHUG0021

Response to 2006 job performance evaluation for Karna Hughes

I respectfully disagree with the assessment of my job performance and character as described by Scott Steepleton in his evaluation of Nov. 6, 2006.

Items 1, 2, 4

To begin with, Mr. Steepleton asserts that the deadline for my Public Square copy is two days in advance of publication and that I have failed to meet this deadline. During my three years of employment, I was told, at least by Assistant City Editor Michael Todd and perhaps other editors, that the deadline for Public Square copy is the same as the rest of the newsroom: 5 p.m. the day before publication. For the past three years, I have consistently made this stated deadline and have frequently turned in copy two or more days in advance (i.e. "early," as stated in my self-evaluation, which is attached). It is my understanding, based on discussions with editors, that turning in copy more than a day in advance is encouraged, but it is not a requirement of the position.

Though I wrote and did layout for Public Square on a daily basis, Monday through Friday for the past two and a half years, and on a semi-daily basis after July 2006, I was never told by the City editors I worked with, including Jane Hulse, Don Murphy, Scott Steepleton and Michael Todd, that my Public Square copy was late. In last year's performance evaluation, then-manager Gary Robb commented, "Public Square...appears 5 days a week and on time" and "Public Square gets into the newspaper and on time, according to copy desk editors."

Item 2

The job title "Community Affairs Writer" was assigned to me when I was hired to work at the News-Press in spring 2004. At that time, I was told my job responsibility was primarily to write Public Square and assist with some Life department content, tasks I continue to do today. The title, which Mr. Steepleton calls "a misnomer," was not my creation, nor was it something I requested; therefore it does not reflect on my performance or character in any way.

Items 5, 7

I strongly disagree with Mr. Steepleton's assessment of me as "antagonistic." When I asked him for clarification about this on Dec. 18, 2006, he cited only two instances where he felt I acted in this manner. In the first incident, which took place in 2005, Mr. Steepleton (who was not my supervisor at the time) asked me to include a photograph and text in Public Square submitted by Maria Pauletto, a local Italian woman who had met the mayor of a town in Italy. (The core part of her text read: "We had a wonderful conversation about the United States, mostly of California. It was a wonderful trip, and I saw some wonderful and interesting things.") Prior to this incident, I had never run a news item along these lines in Public Square. The meeting described by the woman was not particularly newsworthy for my section. She was not a person of prominence; she did not represent any public or private institution; she had not conducted any business with the mayor, nor had she received or bestowed any honor during the meeting. Any of these characteristics might have warranted an appearance in my section.

In evaluating items for inclusion in my section, I was taught by editors to weigh their newsworthiness relative to the dozens of other news items I receive every day. I've also been told to consider whether certain types of items would run again or on a regular basis. I thought that if I ran the item, it might encourage other citizens to write in about their ordinary encounters with people of prominence. Moreover, we could not justify refusing such items if we deigned to run them before, as the public would perceive that as a form of favoritism.

Therefore, based on all these reasons, and space limitations, I told Mr. Steepleton that I did not think the item

belonged in my section and politely suggested that he submit it to the travel editor, Al Bonowitz, for "Where I've Been," a section in which readers submit a photo and write briefly about their experiences abroad. On my own initiative, I then talked to Mr. Bonowitz, who agreed to accept the item, and told Mr. Steepleton about it. The photo and text later ran on October 16, 2005 in the travel section, as we discussed.

I was not being "antagonistic" in the above-described incident; rather, I was helping Mr. Steepleton find a more appropriate section for the news item. Redirecting news items is a normal part of sorting through the massive amount of information and news releases that come through the newsroom each day.

Coincidentally, today, Jan. 26, 2007, Ms. Pauletto stopped by and dropped off another photo of another one of her trips to Italy for the "Where I've Been" section to the current travel editor, Jeff Craig. Mr. Craig, who described her jokingly to me as "his stalker," has accepted the item for his section.

The second incident Mr. Steepleton described pertains to a time in November when I asked him for help with the direction of a Life story about a Japanese teahouse. He asserts that I was "antagonistic" when I discussed the story with him. However, I have a different recollection of this brief interaction. After obtaining more information for my story by interviewing the teahouse master, I realized the article I had initially pitched (about tea ceremony events at a local teahouse) did not have quite the right angle. I then approached Mr. Steepleton, explained the situation and asked him if it would be alright to refocus the article on the history of teahouse itself or if he thought I should take another approach. He said he thought the former would be perfectly acceptable. I was grateful for his assistance and approval, thanked him and left. My article, written with the angle we discussed, was published Nov. 22, 2006.

These two incidents do not justify my being labeled as "antagonistic," nor do they show that I refuse to take instruction. Over the years, I have often expressed appreciation to Mr. Steepleton and other editors for giving me their feedback, sought out their opinions and encouraged them to give me more, as it's the only way I can continue to learn and improve on the job.

I received a rating of 4 for "Communication" and "Professionalism/Teamwork" in my performance reviews for the two previous years. In last year's review, Michael Todd stated, "Karna is a pleasure to work with... she cheerfully and promptly addresses any issue that arises." He also wrote "When Karna does seek internal direction regarding Public Square, rather than just taking the answer as a one-time event, she tends to generalize from the direction given for wider issues – a welcome trait I'd like to see more people adopt." In 2004, Gary Robb stated, "Karna is clear and concise when she and her editor discuss her work. She is always appreciative of feedback and time that is spent with her. She is courteous with the public, one of the keys to the success of Public Square."

Items 2 and 5:

The assessment that I "often budget a story but don't follow through" and the implication that I have failed to keep my editors informed about changes is incorrect. Mr. Steepleton writes, "Her previous editor said Karna would wait until the last minute before mentioning that a story would fall through." However, I do not recall turning in any stories I wrote for Andrea Huebner, my previous editor, too late for publication on the slated date. Nor did she mention to me that the timing of my submissions was a problem. Those stories were "Let Them Eat Crepes," "I Have a Friend," "Sand Fans" and "Finding Some Bunny to Love."

Of the features I have written for Life, I requested a date change only for the story about The Doors in Santa Barbara. When I initially pitched the story, we assigned it a due date that was about a month out. A few days later, I found out that several of the band's anniversary kick-off activities were planned for the next week. I approached Scott Steepleton to inform him about the events and asked him if I should try to shoot for an earlier publication date. However, both he and I were wary about my being able to do enough reporting in time

to write the story. A historical story, it involved more research than usual, including digging around in the archives at SBCC, UCSB and the public library and locating contacts who lived in Santa Barbara during that period and could recall the band. He told me to inform him about my progress on the story, and I did update him all along. I immediately told him when concert impresario Jim Salzer, a key interview I was relying on, fell through. That was not a surprise to Mr. Steepleton. He indicated that it wasn't a problem and told me we could reschedule the story for another date.

In addition, in my 2004 performance evaluation, Gary Robb wrote, "She has delivered on-deadline every writing task she's been asked to do for the Life section."

Items 3, 6, 8

The low ratings I received in these areas, which were not explained to me, are not a true reflection of my performance at work. See the self-evaluation I submitted prior to Scott Steepleton's evaluation regarding my accuracy, initiative and ability to follow procedure, among other traits. In addition, my training and oversight of Bethany Hopkins during the first part of her internship last year (a period of about three or four weeks), was the direct result of my own offer to help then-manager Andrea Huebner and was enthusiastically accepted by Ms. Huebner. On an ongoing basis, I have also mentored Sherrie Waggener, the new listings coordinator, on points of AP and News-Press style.

Item 2

"Not sure if it's her lack of skills as a reporter/writer" has not been explained to me. When he presented the performance evaluation to me on Dec. 18, 2006, Mr. Steepleton said, "I actually like your writing," a comment I appreciated. If the skills he refers to were written about elsewhere in the evaluation, I have addressed those points. If he feels I need to develop other skills that haven't been mentioned, I welcome the opportunity to discuss that with him or my current supervisor.

Submitted by Karna Hughes

Karna Hughes 1/26/07

How would you assess your work performance in the last 12 months?

*Solid and steadily improving. My contributions to the Life section increased: I pitched in during several transitional phases and wrote several features.

What successes did you have?

*The feature stories I wrote for the Life section were more challenging and complex than the stories I did last year.

*I continued to write and do layout for Public Square in a timely manner. For most of the year, with the exception of the weeks when I worked on features or when I was waiting for a crucial piece of information for Public Square, I turned in work early.

*I continued to write the "5 Questions with" feature in Scene before it was cancelled.

*I made Events Today more timely by compiling one-time events from several different calendars rather than simply copying over What's Doing? as we had done in the past.

What are your strengths and how do you use them?

*My strengths include thoroughness and attention to detail -- I am diligent in everything I do, from double-checking and correcting facts and editing style in the listings to carefully putting together Public Square pieces and researching features.

*I try to write in a way that will make even dry material (such as service club award announcements in Public Square) more palatable for readers -- being creative but accurate.

*I always keep the readers in mind -- as far as relevance and usefulness of the material I'm presenting, both in written pieces and in the listings I edit for Events Today.

What areas of your performance do you feel needs improvement?

*I would like to continue to develop my skills as a features writer -- something that I think will come with experience and feedback from editors.

Skills acquired or improved since last review:

*I broadened my skills as a reporter and writer by pitching and writing feature stories that were more complex -- they involved talking to numerous people (rather than just a few people, as in profiles), weaving together more voices and information.

*My writing for Public Square is independent of the tone used in press releases. I increased my reporting for Public Square features, using more original quotes and material.

*I increased my understanding of AP and News-Press style and now routinely catch style errors that slip through other desks when I'm compiling edited copy for Events Today.

Job related accomplishments:

*See "successes" above and "contributions to the News-Press" below.

Seminars attended/continuing education:

*I attended a six-week journalism class last winter sponsored by SBCC Continuing Education

Contributions to the News-Press:

*Wrote material for several sections of Inside Santa Barbara.

*Oversaw the beginning of Bethany Hopkins' internship and instructed her in assisting with Inside Santa Barbara listings.

*Proofread pages for the previous Life editor, Andrea Huebner.

*Filled in for Shirley Waggoner when she left the News-Press, doing all the calendar listings for a month and a half.

*Trained Marilyn McMahon on the listings when she took over the position and followed up with her over a several month period.

*Made numerous recommendations for improving the events calendars during the transitional period after Shirley left. Most of them were implemented.

Copy of self-evaluation submitted in fall 2006

EXHIBIT B

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| MARIC PATTON | |
| Employee Name | |
| SPORTS | |
| Department | |
| SENIOR WRITER | |
| Job Title | |
| | |
| Date Started Present Job | Date Started with SBNP |
| | |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|----------|
| (Two Levels of Approval Required) | |
| Barry Ruzal | 12-27-06 |
| Immediate Supervisor's Signature | Date |
| Shirley | 12/27/06 |
| Department Head's Signature | Date |
| HR Department Signature | Date |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

- ☒ Job Description Reviewed
- ☐ Changes made since last review
- ☒ No changes necessary

SB News-Press Performance Review...

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After you and your supervisor discuss your performance, the evaluation form will be returned to you for your signature to confirm that a discussion took place. You may, if you wish, enter additional comments of your own. A copy of the completed form, with your comments (if any), will be given to you and the original will be on file in the Human Resources Department.

Additional information regarding the Performance Management System can be found in your Employee Handbook.

AMP18807

JDA1182

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

5

Comments:

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

5

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

4

Comments:

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

5

Comments:

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

5

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

5

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

4

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

Help coach the younger writers

2. Objective:

3. Objective:

Overall Performance

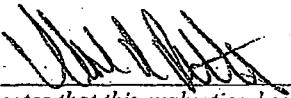
Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

4.6

Employee Comments (Optional)

Employee's Signature



Date

12/27/06

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

AMP18812

JDA1187

2006 Evaluation for: Mark Patton
Department: Sports
Date: 11-02-06
Supervisor: Barry Punzal

Handwritten signature: Barry Punzal
4.6
[Circular stamp]

General work performance in 2005:

Mark has produced a tremendous amount of sports copy this year. He covers his beat (UCSB men's basketball) thoroughly and keeps up to date on what's going on in the local sports community with his column and feature stories. He can write about any subject. He's one of the most respected sports journalists in the county.

What are employee's strengths and how are they used?

Mark has a wealth of knowledge on local sports. With so many new people in the department, Mark's knowledge has been especially helpful. But Mark's greatest strength is his writing. His columns and feature stories are always informative and entertaining to read.

What areas of performance needs improvement?

Mark can do a better job meeting deadline when he's covering late events. I'd also like to see him do some investigative pieces.

Skills acquired or improved since last review:

Mark has become more adept at troubleshooting when he has laptop problems on the road and has honed his Internet skills for research purposes.

Job related accomplishments:

He won a CNPA sports writing award.

Seminars attended/continuing education:

None within the last year.

Contributions:

Mark represented the News-Press as a guest speaker before several local schools and organizations. He's also served on the committee to select the MacFarland Award and has served a member of the Page Youth Center Board of Directors.

AMP18813

JDA1188

EXHIBIT C

Santa Barbara News-Press11/8/07
AA**Performance
Evaluation****Employee Information**

| | |
|--------------------------------------|-----------------------------|
| <u>DENNIS MORAN</u> | |
| Employee Name | |
| <u>SPORTS</u> | |
| Department | |
| <u>SPORTS COPY EDITOR / REPORTER</u> | |
| Job Title | |
| <u> </u> | <u> </u> |
| Date Started Present Job | Date Started with SBNP |
| <u> </u> | <u> </u> |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|-----------------------------|
| (Two Levels of Approval Required) | |
| <u>Benny Pungel</u> | <u>12-27-06</u> |
| Immediate Supervisor's Signature | Date |
| <u>[Signature]</u> | <u>12/27/06</u> |
| Department Head's Signature | Date |
| <u> </u> | <u> </u> |
| HR Department Signature | Date |
| <u> </u> | <u> </u> |
| Publisher's Signature | Date |
| <u> </u> | <u> </u> |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐ **Job Description Reviewed**

☒ Changes made since last review

☐ No changes necessary

SB News-Press Performance Review...

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

AMP18753

JDA1190

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

4

Comments:

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:
Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:
Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

4

Comments:

5. Communication. Consider job-specific criteria in addition to the following:
Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

5

Comments:

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

3

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

4

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

4

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

Delegate Rec features to other members of staff.

2. Objective:

Develop a series of articles on The Beach and water-front scene for The Recreation Page

3. Objective:

Assist in raising the editing skills of the younger staff members

Overall Performance

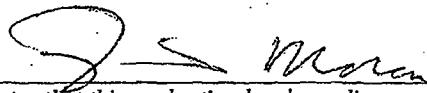
Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.5

Employee Comments (Optional)

Employee's Signature

 Date 12/27/06

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

AMP18758

JDA1195

EXHIBIT D

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

Alan McCabe
Employee Name

Newsroom
Department

Copy Editor
Job Title

Date Started Present Job Date Started with SBNP

Date Last Review Date Next Review

| | |
|---|------------------------|
| (Two Levels of Approval Required) | |
| <u>Chris</u> Immediate Supervisor's Signature | <u>11-3-06</u> Date |
| <u>[Signature]</u> Department Head's Signature | <u>11/6/06</u> Date |
| <u>[Signature]</u> HR Department Signature | <u>11/6/06</u> Date |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐ **Job Description Reviewed**

☐ Changes made since last review

☐ No changes necessary

SB News-Press Performance Review...

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5** Always excels or exceeds standards.
- 4** Consistently meets standards.
- 3** Generally meets standards. Improvement possible.
- 2** Meets standards sometimes. Improvement needed.
- 1** Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

Comments:

4

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

Comments:

3

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**Comments:**

| |
|---|
| 4 |
|---|

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**Comments:**

| |
|-----|
| 3.5 |
|-----|

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**Comments:**

| |
|---|
| 3 |
|---|

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating**Comments:**

3.5

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating**Comments:**

4

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating**Comments:**

3

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

Train new employees

2. Objective:

Assist in System Upgrade

3. Objective:

Help Update Style Guide

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

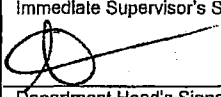

Calculate the average of the performance standards by adding them and dividing by 8.

3.5

EXHIBIT E

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|---------------------------------------|-------------------------------------|
| Nora Wallace ✓ Employee Name | |
| News Department | |
| Reporter Job Title | |
| 5/30/1990 Date Started Present Job | 5/30/1990 Date Started with SBNP |
| 2005 Date Last Review | Date Next Review |

| | |
|--|-----------------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature  | Date 11/6/06 |
| Department Head's Signature  | Date 11/6/06 |
| HR Department Signature | Date |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office☐ **Job Description Reviewed**

- ☐ Changes made since last review
☐ No changes necessary

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_NWAL0033

JDA1204

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

3.5

Comments:

She does a lot with a little. Great work on Valley Living.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

4

Comments:

Nora knows the story she's going after, gets it and then gets it in.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**3****Comments:**

Rarely needs corrections. Would like to see a little more life in her stories. Sometimes they read a bit dry. Would also like to see some enterprise out of her.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**4****Comments:**

She does a lot of work on Valley Living and still pitches in to the main paper.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**4****Comments:**

Does a great job of putting stories on the budget and sticking to them. Respected and well-liked by coworkers.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

3

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

3

Comments:

She has a great relationship with the Chumash, which benefits us when we need their input. I'd like to see her more understanding when things get held for a day – her e-mails requesting answers sound demanding on most occasions, like somebody deliberately tried to slight her. Also, she can be territorial. She needs to understand that at any time, a reporter can be asked to tread in another's territory.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

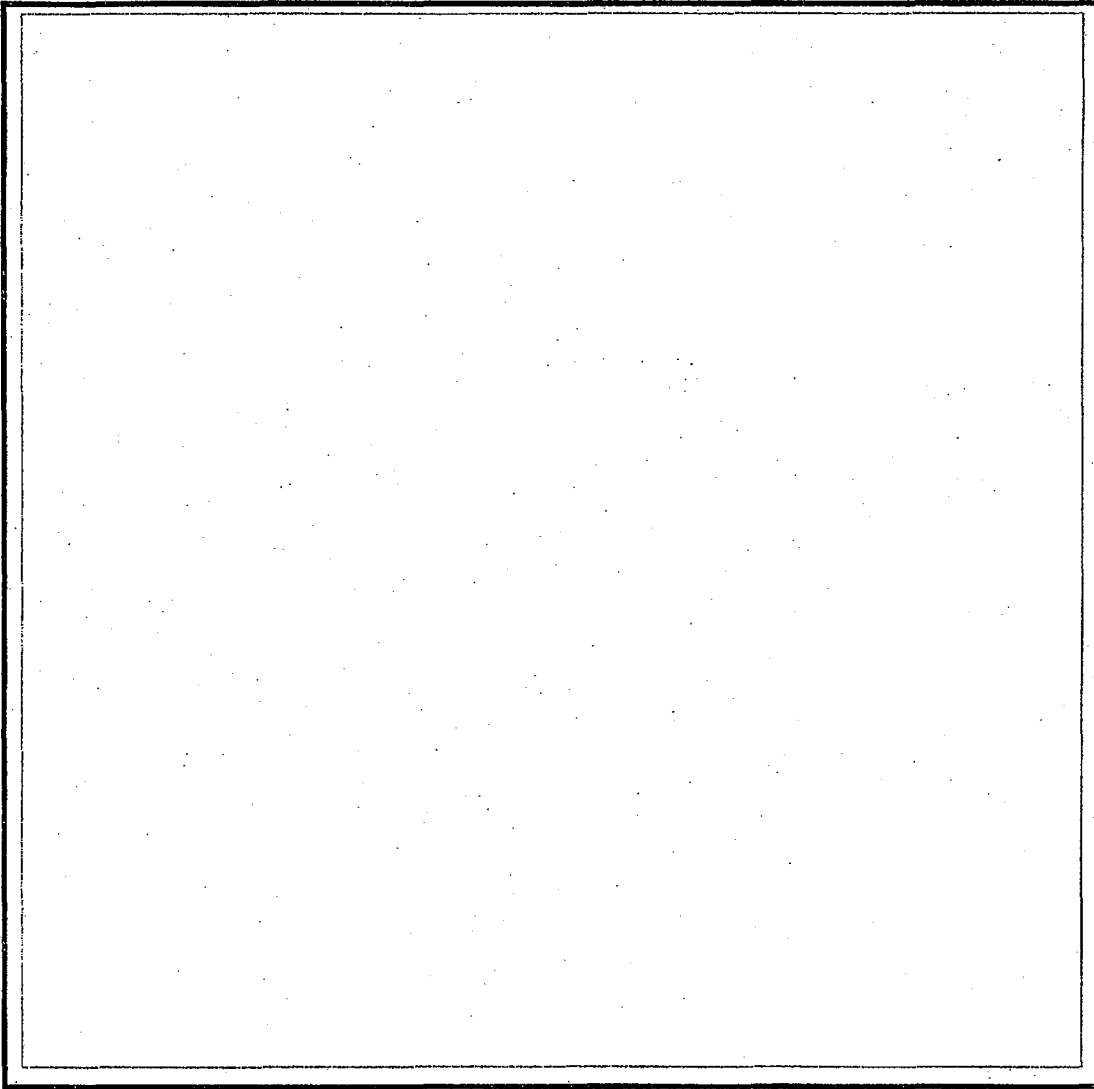
3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.4

Employee Comments (Optional)

Employee's Signature _____ Date _____
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

SBNP_PF_NWAL0038

JDA1209

EXHIBIT F

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Steve Malone | |
| Employee Name | |
| Photo | |
| Department | |
| Photographer | |
| Job Title | |
| 6/11/1972 | 6/11/1972 |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

(Two Levels of Approval Required)

Immediate Supervisor's Signature Date

Department Head's Signature Date

HR Department Signature Date

Publisher's Signature Date

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office☐ **Job Description Reviewed**

- ☐ Changes made since last review
- ☐ No changes necessary

SB News-Press Performance Review...

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

AMP18864

JDA1211

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

3.5

Comments:

As the News-Press adds technology to its production and delivery systems, Steve needs to embrace it. Otherwise, he knows the department and its workings well.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

4

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**2.5****Comments:**

An image is just part of a photographer's work. He or she also needs to be accurate in the information delivered for each photo. I talked to Steve about an embarrassing incident for the News-Press -- his "mystery ship" photo -- and was disturbed to find out that his attitude toward getting the printed information was that it was someone else's responsibility. I advised him this could not be further from the truth. Like everyone who produces content here, Steve must be responsible for everything he puts in his cutlines.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**5****Comments:**

He delivers unflinchingly, and if there's a breaking news king, he's it.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**3.5****Comments:**

If Steve is not sure of information for captions, he needs to speak up early and often.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating**3****Comments:****7. Professionalism. Consider job-specific criteria in addition to the following:**

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating**4****Comments:****8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:**

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating**4****Comments:**

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

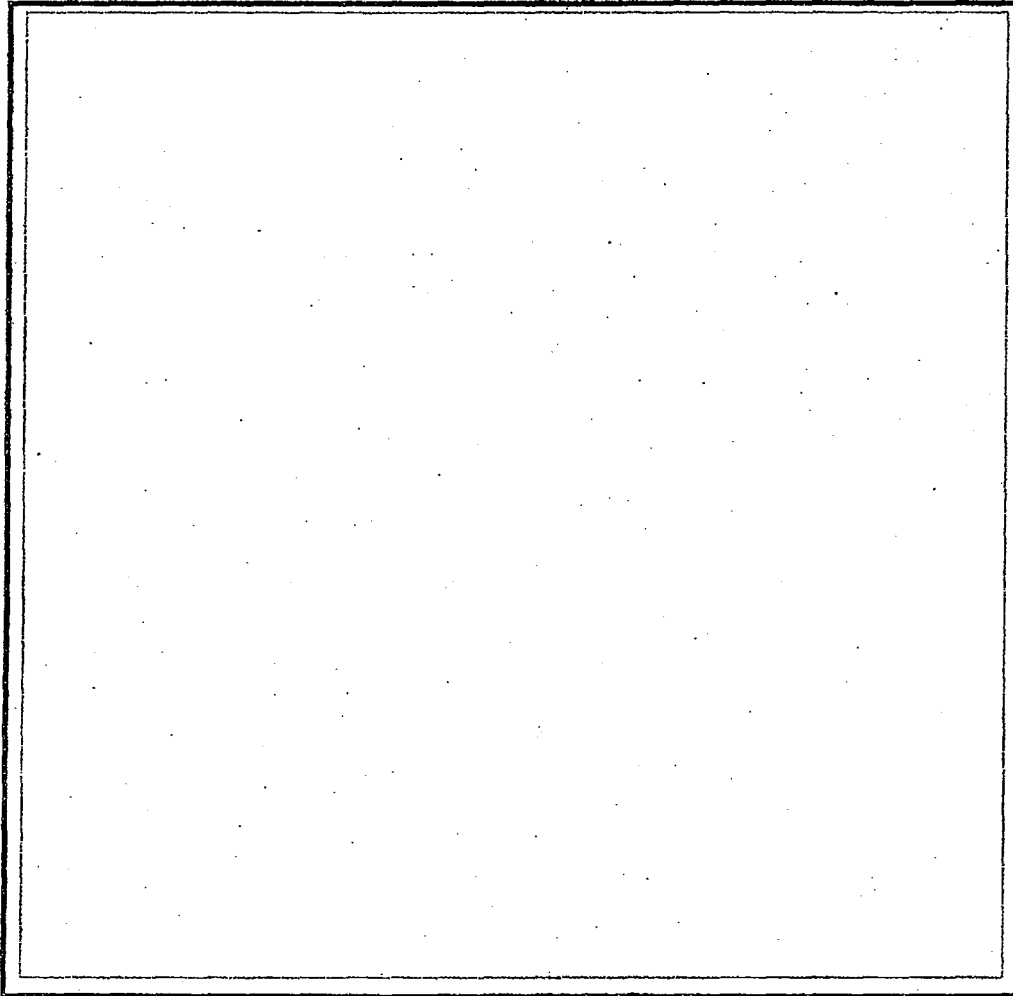
3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.2

Employee Comments (Optional)

Employee's Signature _____ Date _____
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

AMP18869

JDA1216

EXHIBIT G

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Anna Davison | |
| Employee Name | |
| News | |
| Department | |
| Reporter | |
| Job Title | |
| 10/28/2002 | 10/28/2002 |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

(Two Levels of Approval Required)

Immediate Supervisor's Signature Date

Department Head's Signature Date

HR Department Signature Date

Publisher's Signature Date

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office☐**Job Description Reviewed**☐

Changes made since last review

☐

No changes necessary

SB News-Press Performance Review...

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_ADAV0068

JDA1218

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

3

Comments:

Anna will sometimes promise a story, but then something happens to scuttle it. She needs to make sure she has enough information to go forward with a story or she needs to write what she knows about the story she's working on, then follow-up with whatever didn't happen the first time around. She also needs to better communicate in word and through the budget what her stories are and when she wants them to run.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

2.5

Comments:

Anna often seems to be caught-up in other things during work hours, walking around the newsroom to talk to other reporters when she could be reporting/writing.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

2.5

Comments:

Improvement needed. Given the crisis we faced in July, Anna was asked to also dig up news and features out of Carpinteria, an area that we lost reporter in and was ripe for storytelling. Even with this request, the amount of stories for that area are not what should be expected from someone with her background and experience. She needs to write faster, and write more. Many of her stories are press-release driven. She should be able to do more enterprise.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

2.5

Comments:

Better communication up front about what stories are planned for when would clear up any confusion when a story falls through.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

1

Comments:

The first meeting I had with Anna, back in July, about pitching in to help fill in on the night editing shift during the crisis -- a job she had done for some time predating the mass resignations -- she said she had a financial issue to deal with first. Apparently she wanted a bonus for sticking around. She didn't get it and to this day I have yet to hear from her on my request to help out on night editing.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

1

Comments:

Again, Anna had the chance to step up and help the team when the initial walkouts occurred; instead she wanted a guarantee of a bonus before accepting a request to do what she had done for some time: some night editing. This was not being a team player.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

SBNP_PF_ADAV0071

JDA1221

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

2.3

Employee Comments (Optional)

Employee's Signature _____ Date _____
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

employee reviewed
& returned unsigned 1/24/07/LA

SBNP_PF_ADAV0073

Self-evaluation: ANNA DAVISON (2006)

How would you assess your work performance in the last 12 months?

Excellent

What successes have you had?

Published a three-part series on the Channel Islands, which received many compliments from the public and from experts I used as sources. The series won a commendation from the California Newspaper Publishers Association.

Successfully managed the newsroom on Sundays, and sometimes also during evening editing shifts.

Built relationships and gained the trust of many scientists and people in Santa Barbara's environmental community who generally don't trust journalists.

Plunged into coverage of the Carpinteria City Council election, with no prior experience of covering a city or an election

Stepped up to manage the city desk, together with Scott Hadly, in the days after many top editors left the News-Press. I assigned stories, motivated reporters, edited, attended budget meetings, liaised with the copy desk and other managers and generally ensured that a paper came out under trying circumstances.

Motivated other reporters to keep doing good work after editors had left and people were stressed out and unmotivated.

Acted as a trainer for a seminar for scientists on how to interact with journalists. The seminar, held in Monterey, was attended by top marine scientists from up and down the West Coast. I was one of four journalist trainers who helped scientists understand how the media works and how to better interact with journalists. Participants gave the three-day seminar, which I attended on my own time, rave reviews. I also acted as an ambassador for the News-Press and was approached by many scientists who offered to give me the scoop on their work in the future. Those contacts have proven valuable for subsequent reporting on marine reserves, ocean science and public policy.

What are your strengths and how do you use them?

Excellent writing: I liven up dull science and policy stories and seduce readers into reading an article they might not otherwise be interested in. I can write with a humorous edge while not mocking the subject of a story. My copy comes in clean and seldom needs significant editing.

Intelligence: I gracefully handle complex topics like nanotechnology and quantum physics and plunge into whatever field provides the story of the day.

Research skills: I take full advantage of many sources of information: the Internet, historical records, public records, etc.

Ability to distill complicated science into something interesting and understandable to the average reader, without being condescending.

Good relationships with my sources: Scientists, who tend to be suspicious of journalists, trust me and give me the scoop.

Accuracy: I never submit an article without painstakingly fact-checking it. I never take anything for granted, and check numbers, names, agencies, streets, cities, etc.

Balanced reporting: I strive to put across all sides of a story and to be open-minded.

What areas of your performance do you feel need improvement?

I am a perfectionist and think about stories and the paper a lot when I'm not in the office.

Skills acquired or improved since last review:

I'm more successful at meeting deadlines

I produce stories faster

I've improved my multitasking ability

I've improved my understanding of fields like nanotechnology and materials science, in which UCSB is becoming a leader.

I've acted as an ambassador for the News-Press, speaking to scientists and students and encouraging them to send me stories and to read the News-Press.

Job related accomplishments:

Acting as a trainer during a seminar for scientists on how to interact with journalists. The seminar, held in Monterey, was attended by top marine scientists from up and down the West Coast. I was one of four journalist trainers who helped scientists understand how the media works and how to better interact with journalists. Participants gave the three-day seminar, which I attended on my own time, rave reviews. I also acted as an ambassador for the News-Press and was approached by many scientists who offered to give me the scoop on marine issues in the future. Those contacts have proven valuable for subsequent reporting on marine reserves, ocean science and public policy.

Winning an outstanding achievement award from the California Newspaper Publishers Association for my three-part series on the Channel Islands.

Helping get the paper out and keep people's spirits up after most top editors left in July.

Seminars attended/continuing education:

Acting as a trainer during a seminar for scientists on how to interact with journalists. The seminar, held in Monterey, also gave me an education on how scientists work and how they regard journalists — invaluable information for my job. I attended the seminar on my own time.

Contributions to the News-Press

Acting as an ambassador for the paper during speaking engagements.

Helping get the paper out and keep people's spirits up after most top editors left in July.

Working Sunday editing shifts and many holidays and filling in on the city desk during DTI training.

EXHIBIT H

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Marilyn McMahon | |
| Employee Name | |
| Life | |
| Department | |
| Reporter | |
| Job Title | |
| | |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|---------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 11/3/10 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 11/6/10 |
| HR Department Signature | Date |
| | |
| Publisher's Signature | Date |
| | |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐ **Job Description Reviewed**

- ☐ Changes made since last review
☐ No changes necessary

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Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

4

Comments:

Marilyn knows the area like no one else in our Life section. She pitches stories early, gets them in on time.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

4

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

4

Comments:

Rarely a correction. She has a conversational style of writing that takes the reader into the presence of her subjects.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

3.5

Comments:

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

4

Comments:

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

4

Comments:

She's always looking for a new story, and I worked with her recently on an idea to retool our volunteer section that she is willing to undertake.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

4

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.8

Employee Comments (Optional)

Employee's Signature _____ Date _____
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

EXHIBIT I

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

Kim Favors
Employee Name

Copy Desk / Newsroom
Department

Copy Editor
Job Title

Date Started Present Job Date Started with SBNP

Date Last Review Date Next Review

(Two Levels of Approval Required)

Immediate Supervisor's Signature

Date

Department Head's Signature

Date

HR Department Signature

Date

Publisher's Signature

Date

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐**Job Description Reviewed**☐

Changes made since last review

☐

No changes necessary

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SBNP_PF_KFAV0018

JDA1235

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

Comments:

3.5

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

Comments:

3.5

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**Comments:**

3.5

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision.

Is able to learn new procedures and systems at an acceptable pace.

Rating**Comments:**

3.5

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed.

Provides timely information to team members, supervisors and other departments about ongoing projects.

Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**Comments:**

3

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating**Comments:**

3.5

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating**Comments:**

3.5

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating**Comments:**

3

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

Help train New Employees

2. Objective:

Assist in Upgrade of Copy Desk

3. Objective:

Help write update of style guide

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.375

Employee Comments (Optional)

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the page.

Employee's Signature

Kim Favors

Date _____

12-29-06

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/ revised- June 2004

EXHIBIT J

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Amy Weinstein | |
| Employee Name | |
| Newsroom | |
| Department | |
| Deputy Scene Editor | |
| Job Title | |
| | |
| Date Started Present Job | Date Started with SBNP |
| | |
| Date Last Review | Date Next Review |

| (Two Levels of Approval Required) | |
|-----------------------------------|----------|
| Immediate Supervisor's Signature | Date |
| | 12/15/04 |
| Department Head's Signature | Date |
| HR Department Signature | Date |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

- ☐ **Job Description Reviewed**
- ☐ Changes made since last review
- ☐ No changes necessary

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AMP18741

JDA1242

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

5

Comments:

Please see attached notes, which were discussed with Amy, for more details about her performance. Thanks, Keri

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

5

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

4

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

5

Comments:

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

5

Comments:

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

5

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

5

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

5

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

4.8

Employee Comments (Optional)

Employee's Signature _____ Date _____
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

AMP18746

JDA1247

YEAR: 2006

NAME: Amy Weinstein

DEPARTMENT: News/Scene

NEWS-PRESS EVALUATION

1) HOW WOULD YOU ASSESS YOUR WORK PERFORMANCE IN THE LAST 12 MONTHS?

Amy was promoted to Deputy Scene Editor in April, more than doubling her responsibilities. Her transition from the Copy Desk was very successful, given that not only has she learned new skills (i.e.: management, assignment-making, etc.) since joining Scene, but also she has used her talents (i.e.: editing, news judgement, idea generation, etc.) to make Scene a better product.

2) WHAT SUCCESSES DID YOU HAVE?

Amy has done an excellent job of co-managing our team of writers (mostly freelance). For example, she initiated a "program" that brings each writer in for personalized writing/editing coaching sessions. These sessions have increased our writers' effectiveness and resulted in fewer errors, enhancing the copy editing process on our end.

3) WHAT ARE YOUR STRENGTHS AND HOW DO YOU USE THEM?

Amy's greatest strengths are editing and efficiency. She is responsible — and proven to be very capable — for the bulk of the editing in Scene. Also, she is highly efficient with her time each week, managing to co-produce the magazine in only four shifts while working around our writers' schedules, and production and advertising deadlines. Flexibility is demanded of her to accomplish all these tasks, week after week, without sacrificing the quality of the magazine, and Amy handles it well.

4) WHAT AREAS OF YOUR PERFORMANCE DO YOU FEEL NEEDS IMPROVEMENT?

Amy would benefit from additional training in management. Armed with the skills to take on a stronger role, she would be excellent in helping me to take Scene to the next level (i.e.: a thorough redesign of content/presentation) and to help develop future niche products, like a younger-targeted version of Scene.

5) SKILLS ACQUIRED OR IMPROVED SINCE LAST REVIEW?

I did not work with Amy at the time of her last evaluation, but her experience in writing, designing and editing for other sections has only enhanced her performance

AMP18747

in Scene, as this experience laid solid foundation for her to step up and take on a management role.

6) JOB RELATED ACCOMPLISHMENTS?

All the while Amy has adjusted to her new role, she has continued to be effective on the News side by being responsible for A1 one night a week.

7) SEMINARS ATTENDED/CONTINUING EDUCATION?

Amy attended a Society for News Design Quick Course (one day) workshop on features design/idea generation earlier this year, bringing back new techniques, ideas and contacts for growing Scene. Whenever possible, the News-Press would benefit from sending her to a longer, more intense design workshop.

8) CONTRIBUTIONS TO THE NEWS-PRESS?

Amy's greatest contribution has been her dedication. While she was transitioning from the Copy Desk to Scene, she willingly worked several hours of overtime each week to help ease the impact of her move. Since that time, she has effectively managed her time so that, on top of all her duties, she could develop her other talents. For example, Amy exhibited her knowledge of high-end presentation when she designed the Brad Paisley cover and centerpiece for Scene. She also made time to write a cover story on fun summer road trips for Scene. That she expresses a strong interest in advancing her skills in many areas is a shining example of her dedication to Scene. Also, it should be mentioned that Amy has volunteered on several occasions to take on some of the increased workload that resulted as the departure by some of the Copy Desk staff in recent months.

9) SOMETHING A LITTLE EXTRA!

Amy would benefit from gaining a better understanding of the local arts and entertainment scene. One way this could be accomplished would be by allowing her to seize opportunities from publicists/artists/venues, as they come, to participate in events, to network, and to increase Scene's profile in the community. It's difficult to accommodate the time and money it takes to be a part of the scene we're accountable for staying on top of, and I'd like the opportunity to talk with you more about why this is so important.

employee: amy weinstein
title: deputy scene editor

AMP18748

JDA1249

year: 2006

department: news

points awarded, per question:

1) 5

2) 5

3) 4 (though i suspect with additional copy editing resources, fewer small errors would sneak by us and actually make it into the magazine.)

4) 5

5) 5

6) 5

7) 5

8) 5

total points awarded: 4.875

brief explanation of points awarded: It amazes me that between amy (who still is not full-time with Scene) and me (with a quarter of my time dedicated to the Life section), we not only produce Scene each week, but we also continuously switch gears, boil up new plans and motivate our writers to make Scene BETTER each week. amy's the ONLY person in the entire newsroom that can do what she does, what i do, and what each person on the Copy Desk can do, making her extremely valuable to Scene, where she's required each week to manage, edit, design, proof, and sometimes, even write. again, she's taken initiative many times to work independently with writers and photographers to make Scene a smarter and more sophisticated product. also, amy continues to demonstrate savvy a&e news judgement and i genuinely appreciate her ability to juggle Scene while helping to generate ideas for the future of the magazine (we're talkin' a redesign!).

thanks so much, kerl x263

AMP18749

JDA1250

EXHIBIT K

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

JOHN ZANT
Employee Name

SPORTS
Department

SENIOR WRITER
Job Title

Date Started Present Job

Date Started with SBNP

Date Last Review

Date Next Review

| | |
|-----------------------------------|-----------------|
| (Two Levels of Approval Required) | |
| <u>Garry Fungal</u> | <u>12-27-06</u> |
| Immediate Supervisor's Signature | Date |
| <u>[Signature]</u> | <u>12/27/06</u> |
| Department Head's Signature | Date |
| HR Department Signature | Date |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐
Job Description Reviewed
☐

Changes made since last review

☒

No changes necessary

SB News-Press Performance Review...

Performance Management plays a key role in helping the Santa Barbara News-Press fulfill its future goals. The Performance Management System is designed to provide you with constructive feedback on your performance and assist you with maximizing your productivity. The program is a comprehensive managerial process for developing an environment that enables each employee to reach his/her potential in pursuit of organizational objectives.

After you and your supervisor discuss your performance, the evaluation form will be returned to you for your signature to confirm that a discussion took place. You may, if you wish, enter additional comments of your own. A copy of the completed form, with your comments (if any), will be given to you and the original will be on file in the Human Resources Department.

Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_JZAN0064

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

5

Comments:

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:
Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

5

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:
Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

5

Comments:

5. Communication. Consider job-specific criteria in addition to the following:
Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

5

Comments:

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

5

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

5

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

4

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

Help coach the younger writers

2. Objective:

3. Objective:

Overall Performance

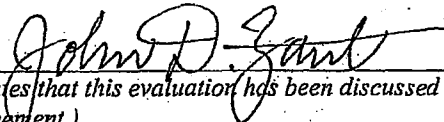
Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

4.6

Employee Comments (Optional)

Employee's Signature



Date

12/27/06

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

SBNP_PF_JZAN0069

JDA1257

2006 Evaluation for: John Zant
Department: Sports
Date: 11-02-06
Supervisor: Barry Punzal

W. J. Zant
4.6

General work performance in 2005:

Zant is arguably the most gifted writer in the newsroom. I feel fortunate to have him on my staff. He consistently knocks out good columns and feature stories, and his incisive writing on game stories is top notch.

What are employee's strengths and how are they used?

John's strength is his quality writing. He produces three columns a week, covers at least three events and writes one feature. He's written several stories for the A Section.

What areas of performance needs improvement?

John can do a better job meeting deadline on late-track events. He can also offer some writing tips to the younger members of the staff.

Skills acquired or improved since last review:

John has become masterful at writing a thoughtful, meaningful column in the 13-inch space on C-1. He's also writing more on national and international subjects, offering his take on such topics as steroids in baseball, the World Cup.

Job related accomplishments:

John wrote an outstanding piece on former UCSB track coach and decathlon mentor Sam Adams that ran on the front page of the paper.

Seminars attended/continuing education:

John attended a SBCC Continuing Ed. Class on literature, focusing on the novel Catch-22.

Contributions:

John continues to produce solid work and goes the extra mile to make sure the section stays on top of things in the community.

SBNP_PF_JZAN0070

EXHIBIT L

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

Lara Milton
Employee Name

Copy Desk/Newsroom
Department

Copy Editor
Job Title

Date Started Present Job

Date Started with SBNP

Date Last Review

Date Next Review

| (Two Levels of Approval Required) | |
|---|-------------------------|
| <u>CB</u> Immediate Supervisor's Signature | <u>11/30/06</u> Date |
| <u>[Signature]</u> Department Head's Signature | <u>11/6/06</u> Date |
| <u>[Signature]</u> HR Department Signature | <u>11/6/06</u> Date |
| _____ Publisher's Signature | _____ Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐ **Job Description Reviewed**

- ☐ Changes made since last review
☐ No changes necessary

SB News-Press Performance Review...

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_LMIL0019

JDA1260

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5** Always excels or exceeds standards.
- 4** Consistently meets standards.
- 3** Generally meets standards. Improvement possible.
- 2** Meets standards sometimes. Improvement needed.
- 1** Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

Comments:

4

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

Comments:

3.5

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**Comments:**

| |
|---|
| 4 |
|---|

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**Comments:**

| |
|-----|
| 3.5 |
|-----|

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**Comments:**

| |
|---|
| 3 |
|---|

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating**Comments:**

3.5

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating**Comments:**

3.5

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating**Comments:**

3

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

Help train New Employees

2. Objective:

Assist in Systems Upgrade of Copy Desk

3. Objective:

Help Upgrade Update Style guide

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.5

Employee Comments (Optional)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is a vertical margin line on the left side, creating a narrow left margin. The paper appears to be from a notebook or a standard ruled sheet of paper.

Employee's Signature

Sam Miller

Date _____

12/29/06

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

2006 Evaluation for: Laia Milton
Department: Newsroom
Date: 11-02-06
Supervisor: Charles Bucher

General work performance in 2005:

I have only been your supervisor for a couple of months, but I have seen your dedication to detail in editing and pagination, as well as your willingness to help others during a difficult transition.

What are employee's strengths and how are they used?

You are a very strong editor and designer and can work independently with appropriate urgency. Your familiarity with our processes are also an asset on a depleted copy desk.

What areas of performance needs improvement?

Organization and planning ahead. You can better help yourself and others by taking some time in the middle of the week to look ahead toward the weekend. Also, patience in dealing with new employees and their training will be an asset in the months to come. We also have to return to our deadline schedule and enforce it as is possible with our staffing.

Skills acquired or improved since last review:

You have become faster at pagination in PageSpeed and have been helping to train new employees.

Job related accomplishments:

You have helped keep the copy desk focused on work under sometimes distracting circumstances, and have worked overtime shifts and taken on extra duties as staffing has decreased.

Seminars attended/continuing education:

Began training for new computer system before it was postponed.

Goals for 2007:

Assist in training new employees.

Help revise News-Press style guide

Train on new computer system and assist others during upgrade.

SBNP_PF_LMIL0025

JDA1266

EXHIBIT M

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Barney McManigal | |
| Employee Name | |
| News | |
| Department | |
| Reporter | |
| Job Title | |
| 6/14/2004 | 6/14/2004 |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|---------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| HR Department Signature | Date |
| | |
| Publisher's Signature | Date |
| | |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

| |
|---|
| <input type="checkbox"/> Job Description Reviewed |
| <input type="checkbox"/> Changes made since last review |
| <input type="checkbox"/> No changes necessary |

SB News-Press Performance Review...

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Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_BMCM0063

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5** Always excels or exceeds standards.
- 4** Consistently meets standards.
- 3** Generally meets standards. Improvement possible.
- 2** Meets standards sometimes. Improvement needed.
- 1** Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

3

Comments:

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

Needs to be better at setting and meeting deadlines. Our longtime protocol has been that reporters provide guidance on when a story they want considered for publication will be turned in. Barney needs to provide that guidance via the City Week and then meet the deadlines without going into overtime.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

Barney's work rarely leads to corrections. His use of loaded words appears to show a pro-environmental leaning. Like every reporter, he needs to always be mindful that he is writing for an audience of diverse minds. This requires equal treatment for all sides of a story. Readers would be well-served also with fewer cliches, which show up especially in his leads.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

3

Comments:

Barney has weeks when he has several stories, but often that are only previews to what's coming up on the county supervisors' agenda. Readers would be better-served with more enterprise stories.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

3

Comments:

Days go by and there are no stories plotted on Barney's portion of the City Week. Having been here for 2-plus years, he should know the importance of timely additions to the City Week. That's what editors use to determine which stories are worthy of publication. He needs to do better planning, and put stories he wants considered for publication on the City Week in a timely fashion.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

3

Comments:

Most of Barney's stories are "surfacy." He talks to the talking heads, and not much of anyone else. He needs to broaden the landscape of voices that appear in his stories.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

3

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

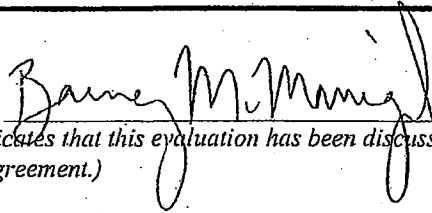
Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3

Employee Comments (Optional)

Employee's Signature



Date

1/22/07

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

SBNP_PF_BMCM0068

RESPONSE TO 2006 PERFORMANCE EVALUATION

Barney McManigal

As a general rule, I am committed to providing the best possible product to the company and welcome any and all ways to continue doing so.

The year 2006 was my most successful at the News-Press to date, yet my overall evaluation score seems to overlook this. Editors gave me a lower score than last year despite numerous achievements, including work on a project that led to a CNPA Award for excellence in environmental and agricultural coverage. Also in this busy election year, I closely followed five contentious contests, reporting on all aspects of each race.

The few criticisms cited, regarding deadlines, production rate and story quality, provide no specific instances of transgression or error, and offer no guidelines for improvement.

With regard to the statement that I have a "pro-environmental leaning," editors present no evidence to support this. I have no personal bias on environmental issues, and seek to emphasize fairness and balance in all stories.

On matters of productivity and quality, I am among the most prolific reporters in the newsroom and contribute original, enterprising stories for publication in a timely fashion.

2006 News-Press Self-Evaluation

By Barney McManigal

1. How would you assess your performance in the last 12 months?

Very good. My last year at the News-Press has been my most successful to date, and represents another 12 months of solid professional growth.

2. What successes did you have?

As the county government reporter, I have successfully covered five competitive races and completed dozens of stories that informed readers about the issues and candidates before them this election year.

In the June primary, I filed detailed reports on the County Split initiative and supervisor races in the 2nd and 5th Districts. These included profiles that went beyond biographical details and probed critical strengths and weaknesses among candidates.

For the November general election, I have provided in-depth coverage of the 2nd District and sheriff runoffs. This included an additional set of candidate profiles that many readers have described as fair and hard-hitting.

3. What are your strengths and how do you use them?

My coverage of and interest in politics stretches back many years, and I believe this comes through in analytical pieces that attempt to give readers a more sophisticated overview of complex issues than is typical for small newspapers.

4. What areas of your performance do you feel need improvement?

SBNP_PF_BMCM0070

The county government is a huge \$700 million organization with many facets. Hence, the opportunities for innovation are endless.

I would like to spend more time producing in-depth reports on a range of issues that readers care about. I would like to do more series that explore new and creative ways to cover local government.

Most of these suggestions are dependent on time, not performance, but one can always work toward these goals pro-actively by seeking to boost efficiency.

5. Skills acquired or improved since last review:

My election coverage has strengthened considerably in the last year, as well as my overall writing abilities, command of county government issues and lists of sources.

6. Job-related accomplishments:

The California Newspaper Publishers Association earlier this year awarded 2nd place honors to an agriculture series that I conceived and co-wrote with several colleagues called "Concrete, Not Crops."

An Aug. 24 story on the county's secret plans to ease building restrictions on farmland received widespread praise from neighborhood groups as preventing an attempt to force growth on local areas without community consent.

My October 31 overview piece on the Sheriff's Council was described by one reader as the best article to date on the embattled organization.

7. Seminars attended/continuing ed.

8. Contributions to the News-Press:

Late last year, I wrote a detailed profile of News-Press Lifetime

SBNP_PF_BMCM0071

Achievement Award winner Kate Firestone.

More generally, I have helped turn the county beat into a well-rounded political genre in the mold of Josh Molina's city coverage. When I inherited it, the beat had suffered from inconsistent coverage and irregular stewardship.

SBNP_PF_BMCM0072

EXHIBIT N

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Dawn Hobbs | |
| Employee Name | |
| News | |
| Department | |
| Reporter | |
| Job Title | |
| 5/18/98 | 5/18/98 |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

| (Two Levels of Approval Required) | |
|-----------------------------------|---------|
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| HR Department Signature | Date |
| | |
| Publisher's Signature | Date |
| | |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐**Job Description Reviewed**☐

Changes made since last review

☐

No changes necessary

SB News-Press Performance Review...

Performance Management plays a key role in helping the Santa Barbara News-Press fulfill its future goals. The Performance Management System is designed to provide you with constructive feedback on your performance and assist you with maximizing your productivity. The program is a comprehensive managerial process for developing an environment that enables each employee to reach his/her potential in pursuit of organizational objectives.

After you and your supervisor discuss your performance, the evaluation form will be returned to you for your signature to confirm that a discussion took place. You may, if you wish, enter additional comments of your own. A copy of the completed form, with your comments (if any), will be given to you and the original will be on file in the Human Resources Department.

Additional information regarding the Performance Management System can be found in your Employee Handbook.

SBNP_PF_DHOB0162

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

3.5

Comments:

If there's a reporter who knows the courts and cops, it's Dawn. However, two years after expanding our online presence -- and after attending at least one staff meeting on the importance of the Web to the company -- she only recently seems to have adapted to getting Web updates early. More often than not, she needs to be instructed on getting a Web blurb in. We need every reporter to be up to speed on how the Web site serves the company, and ever-willing to provide the appropriate content.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

A reporter knows best what's going on with his or her beats and needs to prioritize. On those days when Dawn sees multiple stories, she needs to determine which one gets most of her time, thus becoming the big story and which one gets briefed. This, and other things, will help reduce the overtime she has put in this year and help her meet her deadlines. She needs to get authorization before incurring overtime.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

Dawn's work rarely leads to corrections. However, she can be sloppy in her writing, something that Jane Hulse would, and now I do often, have to work on late into the day after the story is turned in.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

3

Comments:

When the story breaks, Dawn can crank it out. But for someone with her years of experience and background, we would expect more enterprise pieces not of a breaking nature. She seems to be doing less of those these days, but with her recent reassignment to the courts beat, I would think she could find lots of court-related enterprise pieces.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

2.5

Comments:

Dawn needs to do a better job of communicating what's on her story list. Her section of the budget can go days without any updating. Being on the court beat, where everything is driven by calendars, filings and the like, she should have no trouble planning ahead and putting on the City Week budget "holding schedules" for her proposed stories.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

3

Comments:

Dawn is helpful to colleagues. I'd like to see her return to pitching the pieces that require enterprise.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

1

Comments:

Dawn swore at Travis Armstrong during the mass resignations earlier this year. She also has a tendency to swear aloud on the newsroom floor. This can not be tolerated. Her previous editors, including Jane Hulse and Don Murphy warned when they were still here that Dawn was too cozy with the cops. Reporters can not be cozy with anyone. That leads to bias. Also, Dawn's passion for "the victim" sometimes leads to sensational writing that requires toning down. Sensational writing also gives way to bias.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

2.7

Employee Comments (Optional)

Employee's Signature Dawn Hobb Date 12/18/06
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

SBNP_PF_DHOB0167

**Dawn Hobbs
News Department
2006 Self Evaluation**

How would you assess your work performance in the last 12 months?

My overall performance during the last year has been above and beyond what is expected.

I frequently go the extra mile to push sources for the latest possible information on breaking news that I know other media outlets will not have. This keeps us ahead of the pack, providing fresh information to our readers the morning after the television news already broadcast coverage of the event the night before.

I am an exceedingly productive reporter, constantly cranking out stories from staying abreast of developments on my beat, as well as through the use of the scanner, tips, sources and the courts. I also function well under deadline pressure -- getting in as many angles of the story as quickly as possible, while still composing an intriguing narrative.

My coverage illustrates my in-depth knowledge of the criminal justice system and my ability to work with variety of sources. I dive-head first into complicated cops and courts stories eager to make sense out of it for our readers. I show great initiative on my beat, frequently unearthing documents and demanding access to other material to which we're legally entitled. I'm very connected to my beat and regularly generate enterprising stories.

All of these steps combined provide readers with an accurate, fair and balanced account of the news.

What successes did you have?

The gang package which ran in July was a first of its kind here, featuring in-

SBNP_PF_DHOB0168

depth interviews with gang members themselves. The package moved people to step forward to help organize other activities for these kids other than hanging out on the streets. Four months later, efforts are still underway to improve a dangerous situation which affects our entire community.

I've also been successful at gaining more access to information at the Santa Barbara Police Department. After years of withholding accident victims' names, I persuaded SBPD officials to overturn the City Attorney's decision and to provide the identities of these people.

At the time Hildy Medina took over my beat while I went to courts, the SBPD for unknown reasons stopped providing the entire narrative with the daily reports. After returning to cops in April, I acted quickly to reverse that procedure, providing officials with a summary of every legal code that backs our access to such documents. The full narratives are now included in the stack of reports each morning.

In the courts, I have continued to press for access to documents. I've even addressed the judges several times while court was in session to keep a hearing open and to convince them of the reasons we should be allowed to photograph.

What are your strengths and how do you use them?

I have a solid understanding of media law and know how to recite verse and code to cops, judges, lawyers and anyone else who resists providing us with public information to which we are entitled.

I also have an ability to deal with a wide variety of sources, including victims or victims' families, witnesses, cops, lawyers and suspects. A different technique must be used with each and I'm able to use this to the best of my ability to get the fullest story we can.

The last story I wrote from an interview with a suspect at the County Jail
="eval-2006.sav"— Page #2 Thursdav. December 28, 2006 6:45 P

SBNP_PF_DHOB0169

was with Daniel Hayman who basically confessed to killing his ex-wife during our discussion. The coverage led to him entering a plea rather than put his daughter and son through a trial concerning the murder of their mother.

On crime scenes, especially homicides, I frequently piece together what transpired quicker than the cops. In court cases, even ones I've just recently picked up mid-stream, I quickly grasp the legal issues, as in the Jesse James Hollywood case, and clearly explain it to readers.

While I have very good sources who frequently tip me off or confirm information about breaking news that the officials won't, there is a clear understanding with these people that I have been for years and will continue to be critical of their agencies. This has been evidenced this year by my aggressive coverage of Sheriff Anderson and his involvement in the Sheriff's Council. I've done numerous articles this year critical of the District Attorney's office and its decisions in certain matters. Most recently my persistence with the SBPD concerning the identity of the officer involved in the officer-involved shooting and their delay in announcing the arrest of a murder suspect is also evidence that I take no nonsense.

What areas of your performance do you feel needs improvement?

I feel my reporting and coverage of the judicial system would be more well-rounded if I were able to do more in-depth packages, like the gang package I did this year, or like the ones in recent years, like my series on domestic violence or unsolved murders.

Skills acquired or improved since last review:

I've learned a great amount about criminal law. I've also developed my writing skills since the last review.

=“eval-2006.sav”— Page #3 Thursday, December 28, 2006 6:45 P

SBNP_PF_DHOB0170

Job-related accomplishments:

My coverage of the Sheriff's Council won a CNPA award for investigative reporting.

My gang article has resulted in the development of alternative activities for the kids and has prompted city officials, cops and advocates to discuss how to remedy the situation.

Seminars attended/continuing education:

One of the most important aspects of covering the criminal justice system is understanding how law enforcement and the courts are supposed to work so that I can point out when it falls short. The News-Press has not sent me to any seminars or continuing education classes this year; however on my own time, I continuously read about the latest issues and research in both the criminal justice system and the journalism profession.

Contributions to the News-Press:

I frequently tap the contacts I made during the Michael Jackson trial to use as our national legal experts. Without my work of developing these relationships during the Jackson trial, a newspaper our size would likely not have access to sources of this stature.

I think I've also given the News-Press a higher degree of credibility in the community by doing the kind of thorough and aggressive coverage that I consistently produce.

I've also established for the News-Press better access to court and law enforcement documents.

I maintain a high degree of integrity and professionalism and am well-respected on my beats for doing so -- this also contributes to the image and credibility of the newspaper.

="eval-2006.sav"— Page #4 Thursday, December 28, 2006 6:45 P

SBNP_PF_DHOB0171

Date: December 29, 2006

To: Yolanda Apodaca, Scott Steepleton
cc: Bob Guiliano, Ira Gottlieb

From: Dawn Hobbs

Re: Response to 2006 Performance Evaluation

There are numerous inaccuracies and false accusations in this year's evaluation which need to be corrected.

For those who are unfamiliar with the quality of my work, it should first be noted that for the last five years I have consistently scored in the upper percentile of the newsroom. Even when evaluations were sent back to editors who were instructed to lower reporter's scores, presumably to save on bonus money, I still ranked as one of the highest.

Therefore, it is unfathomable as to how I can go from being one of the best reporters in the newsroom to one of the worst -- especially given that I have been working two beats for the last five months and even won an award for investigative reporting this year. My rating dropped a dramatic 24 percent in between last year and this one -- notwithstanding the fact that I am doing more work than before. This year's low score and zero bonus -- which I have historically received between \$2,450 and \$3,800 -- is very troubling and leads me to believe I am being financially punished for my union leadership.

There are many items of note that need to be addressed which fall under the "Professionalism" category of the evaluation, for which I received the lowest score possible -- "1."

The first is the false accusation that I swore at Travis Armstrong during the mass resignations earlier this year. There were two people who swore at Armstrong -- Jane Hulse and Starshine Roshell. I was sobbing and attempting to give Jerry Roberts a hug before he was escorted out of the building. I was sobbing so much, I couldn't even get out a single word to Roberts when I was finally able to briefly embrace him. It is highly important to note there are numerous witnesses who will testify to this fact. There is no basis for this assertion. This statement needs to be removed from my evaluation and my score appropriately adjusted.

The second item in this category which needs to be corrected is the assertion that my writing is biased toward law enforcement and victims of crime. It is important to note that prior to this year, the word "biased" never appeared in any of my evaluations. Steepleton points to comments of prior editors to bolster his claims, however, it appears he has misinterpreted those evaluations from prior years for the apparent purpose of unjustly downgrading me.

Steepleton states that Jane Hulse and Don Murphy "warned" that I was "too cozy with cops" -- however, that statement does not appear in prior evaluations written by those editors. Andy Rose stated in the 2001 review that he was "slightly concerned," but noted: "At the same time I have seen her hit them hard in some cases, so it's clear she is aware of the need for a firm hand." The following year, Rose wrote: "She maintains very good contacts, while never letting her sources off the hook."

There are tons of articles in the archives which illustrate that I am actually quite critical of law enforcement. The flap concerning the Sheriff's Council won a CNPA award for investigative reporting this year. Besides that award-winning string of articles, there have been numerous others I've written this year that have been critical of the SBSO, the SBPD, the DA, prosecutors, and judges. These hard-hitting pieces included the following incidents: The SBPD and SBSO's pursuit of someone they erroneously thought was a 187 suspect and the resulting officer-involved shooting; the SBPD's refusal to release the cop's name who was the shooter in the officer-involved shooting; the SBPD's refusal to release details of another homicide or the suspect's name when he was arrested; the DA's decision to not press criminal charges in a drowning case; prosecutors crossing the line on pending cases by writing a book and becoming involved with the production of a movie; a judge who repeatedly ruled in favor of the prosecution in a vehicular manslaughter case; a judge who cut loose two men convicted of vehicular manslaughter because of jail overcrowding.

The assertion that I am biased toward law enforcement is ludicrous given that I am constantly critical of cops and prosecutors and consistently go over their heads when they don't give the information to which I'm legally entitled.

The assertion I am biased toward victims is also baseless. Steepleton apparently relied on earlier evaluations which mention my "empathy" toward crime victims, but neither of the prior evaluations indicated my reporting or writing was biased. In fact, the prior evaluations note my empathy is helpful in getting victims, or in the case of homicide victims, their families, to open up to me. In 2004, Murphy wrote: "She is exceptionally good at getting victims and their families to talk with her. She has genuine empathy for them and they can feel it." The following year, Murphy further noted that I clearly maintain fairness in my writing while empathizing with crime victims and their families. It is my job to tell their stories.

I also strive to piece together crimes, particularly homicides, quicker than the cops do and make it a point to always get in as much of the suspect's side as I can possibly get together. In fact, I routinely get comments from defense lawyers that they've never seen a reporter give suspects such a fair shake. Some suspects even agree to speak with me from behind bars -- against the advice of their lawyer -- because I do not side with law enforcement and genuinely want to give the accused an opportunity to tell their side of the story.

It is highly important to note there are numerous cops, prosecutors and defense lawyers who will testify to the fact that I am not biased toward law enforcement or victims, but instead provide fair, accurate and balanced accounts of what has occurred.

Previous editors have always made it a point to stress that I demonstrate the highest of ethical standards. This has been consistently indicated in every single one of my prior evaluations. I have also rightfully earned the reputation in the community of being a reporter who has a high degree of integrity and credibility.

The third item in this category deals with the use of profanity in the newsroom. With respect to the alleged profanity, my behavior has not changed, but evidently and without warning, the standards by which my behavior is measured have changed. That again, supports the view that this evaluation is inspired not by my actual work performance, but by my union organizing activity.

The other statements in this review with which I take issue are listed below:

**Under "Knowledge of the Job," it should be noted that as a matter of habit I call into an editor from courts or a crime scene to report breaking news so they can get it up on the Web, and I have been doing so for the last couple of years. When I return to the newsroom, I am more than happy to write a blurb for the Web and have even come up with interactive ideas for the newspress.com.

**Under "Use of Time," it needs to be pointed out that I have been covering both cops and courts for several months and frequently ask for assistance when I have numerous stories breaking at once. Because of staffing shortages, I have been told no one is available to help out and end up working both stories myself.

**Under "Quality of Work," it is asserted that I turn in "sloppy" writing which Steepleton has to work on "late into the day." I find this surprising because there is very little editing done to my pieces and Steepleton consistently walks by my desk after editing a piece with a thumbs-up sign, noting that it was "excellent stuff." My pieces not only provide colorful recaps of what has occurred, but also a legal context with which to understand the issues. My articles also regularly either scoop the other media outright, or push the story ahead on breaking events to provide readers with angles they didn't get on the evening news when they open their papers the following morning.

**Under "Productivity," it notes that I need to do more enterprising pieces. I do an excellent job of covering breaking news, both on courts and cops, and have even found time to do enterprising pieces. I frequently take breaking news and work up not only second day angles, but also weekend pieces. You need not look far for these because they are always on the front page of the paper. In other enterprising pieces, I wrote a compelling in-depth package about gangs in Santa Barbara, which featured for the first time up-close interviews with the gang members themselves; revealed youth here are using cold medication to get high; examined the statewide ramification of the recusal of two prosecutors here; and explored competing Constitutional rights involving the Jesse James Hollywood case and the release of a major motion picture based on that pending case. In addition, just within the last couple weeks I started two other enterprise pieces -- one on the state's Three Strikes law and the other on the state's Commission on Judicial Performance removal of judges from the bench -- both of which had to be put on hold because of breaking news on other cases. I also have a long list of other enterprising stories I'd like to delve into -- if I had the time to do so.

**Under "Communication," it notes that my budget can go days without any updating. It should be equally noted that when Steepleton first took over as editor, I continued to put on the budget (as I have for years with the other editors) my court schedule, stories that were likely to occur and ones I was working on for the future. However, Steepleton made clear that he only wanted stories on there that were going to happen for certain. Therefore, following those instructions, there are times when my stories are not on my budget because I do not know for certain if they are going to happen or if the hearing will be postponed. If he wanted something different, it may have been helpful if he communicated that to me. Now, I understand that the new assistant city editor wants it back the way I did it before because he finds that approach more useful.

**Under "Initiative," it is again noted that Steepleton would like to see me return to pitching enterprise pieces, which I responded to above under "Productivity." However, what is missing from

this category, as well as from any of the other ones, is that I routinely scoop the other media, including the L.A. Times on the Hollywood case. The News-Press is again leading the pack on a high-profile case because of my reporting. It should also be noted that AP also frequently follows my stories, such as the one on the abuse of cold medication. The reason I'm ahead of the curve is because I do show a great deal of initiative, spend time cultivating sources and not only get out the breaking news, but examine the legal issues in larger weekend pieces.

I take great pride in my work at the Santa Barbara News-Press and hold myself to the highest of professional and ethical standards. Our newsroom has undergone a huge transition this year, but I have continued putting out the quality journalism which I am so well known for in this community -- to the point of even producing more stories because of the shortage of reporters. I sincerely hope these scores can be adjusted to more accurately reflect the quality of my work and that I receive the bonus I truly deserve.

It might be worth noting the following comments prior editors wrote in my evaluations:

In 2000, Jesse Chavarria stated: "Dawn Hobbs is one of the best cop reporters in the state. ... Dawn writes more breaking news stories than anybody. She writes more than her share of features and explanatory projects -- and has won several major prizes for the newspaper. ... She's an excellent team player and communicates well with City Desk editors and colleagues. She shares information and reporting techniques with colleagues, makes story suggestions, and discusses ethical considerations in reporting certain story elements."

In 2001, Andy Rose stated: "Dawn is one of our best reporters, an MVP candidate. She is conscientious, knows how to dig into a story and has good contacts on the public safety beat. ... Dawn is one of our top producers."

In 2002, Andy Rose stated: "Dawn is consistently one of the best reporters on staff. She breaks stories and digs in like a bulldog. ... Dawn is consistently at the top of the productivity scale. ... Dawn is a team player, and very conscientious and concerned about the quality of the newspaper."

In 2003, Jane Hulse stated: "Dawn is an excellent reporter who has the ability to dig with bulldog determination for information. She had great contacts with the police and that is already carrying over to the court beat. Her news sense is top notch. ... She has great initiative."

In 2004, Don Murphy stated: "She is an aggressive reporter who isn't afraid to press people for information or dig deeper for information. She has excellent sources and maintains good contact with them. ... Dawn has a lot of drive and determination ... She is quick to step in when she feels bureaucrats are depriving her of information."

In 2005, Don Murphy stated: "Dawn does a good job of keeping the metro desk informed of news on her beat. ... She is still benefiting from sources she developed on the police beat and has already developed good sources among local prosecutors, defense attorneys and nationally-known legal experts. ... Dawn is energetic and enthusiastic. She is anxious to do good work and to make sure that no one scoops her on the court beat."

EXHIBIT O

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Mike Eliason | |
| Employee Name | |
| Photo | |
| Department | |
| Photographer | |
| Job Title | |
| 6/1/1989 | 6/1/1989 |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature | Date |
| Department Head's Signature | Date |
| HR Department Signature | Date |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

| |
|---|
| <input type="checkbox"/> Job Description Reviewed |
| <input type="checkbox"/> Changes made since last review |
| <input type="checkbox"/> No changes necessary |

SB News-Press Performance Review...

Performance Management plays a key role in helping the Santa Barbara News-Press fulfill its future goals. The Performance Management System is designed to provide you with constructive feedback on your performance and assist you with maximizing your productivity. The program is a comprehensive managerial process for developing an environment that enables each employee to reach his/her potential in pursuit of organizational objectives.

After you and your supervisor discuss your performance, the evaluation form will be returned to you for your signature to confirm that a discussion took place. You may, if you wish, enter additional comments of your own. A copy of the completed form, with your comments (if any), will be given to you and the original will be on file in the Human Resources Department.

Additional information regarding the Performance Management System can be found in your Employee Handbook.

AMP18833

JDA1294

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

5

Comments:

Mike is up on technology, strives to keep up.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

4

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

4

Comments:

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

4

Comments:

In addition to taking on assignments, Mike knows when to move into action based on what's happening with police scanner calls.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

3

Comments:

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

Comments:

3.5

In addition to his photography skills, Mike pitches in when he can on graphics -- and can produce winners.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

Comments:

2

Even coworkers admit he can be difficult to work with. He lobbied for the photo editor position, but an e-mail exchange with a new reporter is an indication he is not ready to manage. Mike's less-than-acceptable interpersonal skills are not outweighed by his camera skills and knowledge of technology.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

Comments:

3

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

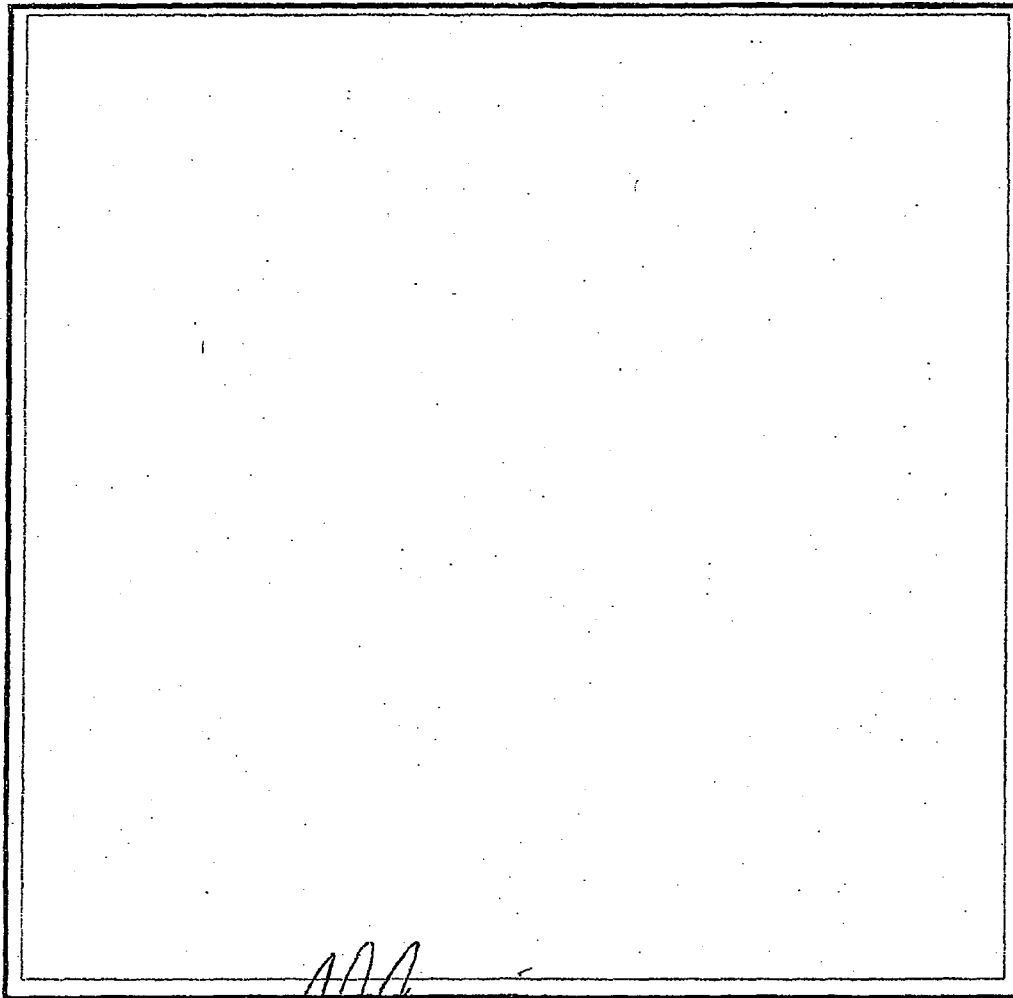
Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.5

Employee Comments (Optional)



Employee's Signature

Date

1-26-08

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

AMP18838

JDA1299

EXHIBIT P

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

| | |
|--------------------------|------------------------|
| Thomas Schultz | |
| Employee Name | |
| News | |
| Department | |
| Reporter | |
| Job Title | |
| 9/22/1998 | 9/22/1998 |
| Date Started Present Job | Date Started with SBNP |
| 2005 | |
| Date Last Review | Date Next Review |

| | |
|-----------------------------------|---------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 11/6/06 |
| HR Department Signature | Date |
| | |
| Publisher's Signature | Date |
| | |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐ **Job Description Reviewed**

☐ Changes made since last review

☐ No changes necessary

SB News-Press Performance Review...

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SBNP_PF_TSCH0053

JDA1301

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

4

Comments:

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

Tom gets in, gets his reporter done and gets the story filed.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

Rarely results in corrections. When asked to rewrite, he does. Aggressive and tenacious are a couple of the words I'd use to describe Tom. He pushes when necessary, yet has a fine touch when sensitivity with a source or story is called for. He grabbed hold of the Goleta beat and ran with it, turning in some nice reads about our neighbor to the west.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

3

Comments:

I like to see enterprise over agenda-driven meeting coverage, and I think Tom is able to do that. His style of writing is easy to read. He also is quite helpful whenever colleagues need a hand.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

3

Comments:

Tom is good when it comes to notifying editors about stories. However, he needs to update budget whenever possible.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

3

Comments:

Always ready to help.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

3

Comments:

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

see attached

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3.1

Employee Comments (Optional)

(see attached)

Employee's Signature

Date

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

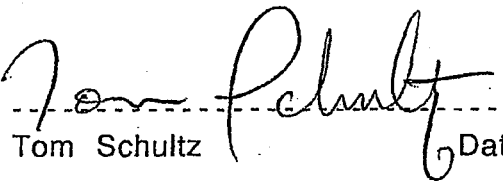
SBNP_PF_TSCH0058

JDA1306

EMPLOYEE COMMENTS

I would like to weigh in briefly here, simply to state that I intend to continue performing at these and greater levels of achievement in the future. It has always been my goal to continually improve as a journalist since I wrote my first published article at age 20 in 1995. It's now a dozen years later, and there is still always room for improvement. I will keep the suggestions and observations contained within this review in mind in 2007 and beyond.

I see that the "Future Performance Objectives" section of the review leaves space for three "mutually developed" goals. Development of these was not a part of my oral review, but I am happy to sit down and mutually discuss these with an editor or supervisor if necessary.

 1/25/07
Tom Schultz Date

SBNP_PF_TSCH0059

JDA1307

Year 2006Name Thomas SchwitzDepartment Newsroom

News-Press Self Evaluation

How would you assess your work performance in the last 12 months?

What successes did you have?

What are your strengths and how do you use them?

What areas of your performance do you feel needs improvement?

Skills acquired or improved since last review:

Job related accomplishments:

Seminars attended/continuing education:

Contributions to the News-Press:

SBNP_PF_TSCH0060

JDA1308

News-Press self evaluation
Thomas Schultz, reporter
Nov. 1, 2006

How would you assess your work performance in the last 12 months?

I have performed well, consistently writing in-depth and informative articles focused on a wide range of topics from Goleta politics, policy debates and elections to public safety, courts and numerous other general assignment categories. A www.newspress.com archive search of my byline and the word "correction" or "corrections" revealed none for the year to date, though I suspect I may have had a couple along the way. I have performed strongly, despite the paper's intense transitional period.

What successes did you have?

I brought continual coverage of the Goleta general plan initiative, chronicling the creation of this important and highly controversial document from many angles, all the while incorporating a wide range of views into those articles. My coverage of numerous meltdowns at the Devereux Foundation campus near UCSB continued in what has become a multi-year story line. I used public records and other sources to pierce administration stonewalling and get a true picture of the wind-down of services there amid a series of legal violations. I peeled back layers of soft money funding to offer readers a better view of who is funding candidates for Goleta council on both ends of the political spectrum. I did some good reporting early on in the Vasquez child abuse arrest, and was tasked with a series of well-written news obituaries during the first half of the year.

What areas of your performance do you feel need improvement?

I am unaware of any, but have always been open and remain open to suggestions from my editors and colleagues.

Skills acquired or improved since last review?

Through my reporting, and unexpectedly due to the highly competitive nature of, and donor interest in, this year's Goleta council race, I have

SBNP_PF_TSCH0061

JDA1309

taught myself more about PAC soft money campaign funding. I expanded my source base throughout the year, which is an ongoing process. And I grew more familiar with the workings of Goleta city and related subjects, as would be expected, as that is my beat.

Job related accomplishments?

A robust 2006 archive of stories on a wide range of topics. I write pretty much daily, sometimes more than one story a day. I am proud of my ability to report and write quickly and accurately.

Seminars attended/continuing education?

No seminars this year, no classes.

Contributions to the News-Press?

see above.

SBNP_PF_TSCH0062

JDA1310

EXHIBIT Q

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

Keri Bradford
Employee Name

Scene magazine
Department

Scene editor (actually: Art & Entertainment Ed.)
Job Title

8/31/2005
Date Started Present Job

8/31/2005
Date Started with SBNP

na
Date Last Review

Date Next Review

(Two Levels of Approval Required)

Immediate Supervisor's Signature Date

Department Head's Signature Date

HR Department Signature Date

Publisher's Signature Date

Copies: ☒ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐ Job Description Reviewed

☐ Changes made since last review

☐ No changes necessary

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AMP18763

JDA1312

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

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- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

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Rating

4

Comments:

Through her knowledge of publishing, working with staffers and freelancers -- and her ever-expanding knowledge of our coverage area -- Keri has set about making Scene magazine a better publication. It shows. Her demeanor in the office is top-notch.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

5

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**5****Comments:**

I think some of her work is stunning. Keri is one of those unique individuals who "sees" the product before it's even sketched out. And if a cover is her product, she comes up with some brilliant products. From the start of this crisis, Keri has come forward with ideas to continue improving the magazine.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**5****Comments:****5. Communication. Consider job-specific criteria in addition to the following:**

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**5****Comments:**

Keri keeps me in the loop on what she has planned for the section. She comes to planning meetings ready to talk about her section, and is never at a loss for enthusiasm.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

4

Comments:

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

5

Comments:

Keri is a great team player, a benefit to this team.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

4

Comments:

When I asked if Keri was interested in the Life editor position, she said no. Not because running the section was a turn-off, but because she is so dedicated to making Scene a great read that she didn't want to turn her back on it. She talks to me about new writers, new sections for the paper, and the like.

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

4.6

Employee Comments (Optional)

Employee's Signature _____ Date _____
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

AMP18768

JDA1317

The contents in this meeting are considered a trade secret and as such what is discussed in this meeting shall not leave the confines of this building.

SANTA BARBARA: Ampersand Publishing LLC, owner of the *Santa Barbara News-Press* announced today the reorganization of its printing, production and sales departments and the consolidation of its newsgathering operations.

Under the new operational structure, the *News-Press* will be expanding coverage in the Goleta and Santa Ynez valleys, Montecito, and Carpinteria. *Valley Living* and the *Goleta Valley Voice*, both Ampersand publications, will now be incorporated and expanded into the daily pages of the *Santa Barbara News-Press*. With this restructuring, 17 positions have been eliminated.

Director of News Operations, Don Katich, said: "Santa Barbara, Goleta and the Santa Ynez Valley remain our core news product. This reorganization will provide us the structure and resources necessary to provide the quantity and quality of relevant and topical news that is not currently served by our weekly products or by other media."

Co-publisher, Arthur von Wiesenberger, said: "The economic forces affecting the newspaper industry are not limited to the *News-Press* or Santa Barbara. The challenges we face as an industry require a rededication to our core product. The actions taken today were necessary as we respond to our ever-changing industry."

The 17 positions eliminated today are not in the news department at the news-press.

Being in the news business, I'm sure all of you are keenly aware of the economic tsunami that is affecting not only our industry but the Financial, auto, Real Estate, manufacturing, travel, and advertising sectors. Our business and income are based on subscriptions & advertising. According to the Newspaper Association of America, ad revenue collapsed in the third quarter of this year by over \$2 billion dollars. You cannot take \$2 billion dollars out of an already troubled industry without significant consequences. Just this morning, Gannett announced another 655 employees laid off, The LA times hundreds in October, The Ventura Star, 45 last month. Papers are dying.

But not this one.

The good news is more than the fact that we escaped layoffs today.

→ Yesterday, we had 5 local stories on A-1.

→ Today, all of the A-section is local

→ Focusing our reporting, writing, photo, copy and design skills on 1-publication positions us to dominate all news in this market.

→ We define who we are as professionals and as a newspaper by the quality and quantity of work we do day in and day out. We will not be defined or paralyzed by the nay-sayers who wish us harm.

→ Our community deserves the best from all media and certainly us.

Over the course of the past 3 weeks, I've had the pleasure of meeting one on one with many of you discussing our news organization & structure. I've shared with you that news is now an "on-demand" commodity and that we constantly need to ask ourselves, are we today relevant in the lives our customers?

The past thinking that has brought us to this point is not the thinking that is going to save our industry. As comforting as repetition and routine can be in this industry, it's the blue light leading its prey to untimely demise.

Now what does this mean?

Starting immediately, all of our efforts, every day go towards building up this paper.

We will be hiring an AM Assignment Desk Editor who will be working 6am – 3pm, preparing the days events and assignments in preparation for our 9am Meeting with the Associate Editor, Business, Life, photo in an effort to plan out the days events in a coordinated and proportional structure.

We will have a posted work schedule and every reporter/writer will be responsible for a minimum of one story per day and one story for the weekend.

We will assign/schedule Feature stories 60 days in advance.

We will dominate our Lead story, at times assigning two resources to cover the story.

We will make better use of our graphics design capabilities.

We have the best photojournalists in the market; we will use them more effectively.

We will migrate to 5.5 aggressively providing greater efficiency in how we operate

We will remove any artificial barrier that hinders our ability to succeed.

We will provide LIVE streaming over Newspress.com and Dale Ernerst will be present at our 9am meetings.

Our success will be measured by 1 victory at a time.

If you ever had to lay off good workers due to a bad economy, you quickly develop an obligation to those of us left, that we waste no time ensuring that our community, our paper, our co-workers and ourselves are provided every reason & tool to succeed.

Our paper is only as good as our weakest link. We deserve the best from management, each other and ourselves.

Thank-you in advance for your renewed efforts and skills in bringing your best to our paper in service to our community.

Santa Barbara News-Press**Performance
Evaluation****Employee Information**Nick Masuda
Employee NameEditorial
DepartmentDeputy Sports Editor
Job Title

Date Started Present Job _____ Date Started with SBNP _____

Date Last Review _____ Date Next Review _____

ENTERED

JAN 07 2005

| | |
|-----------------------------------|----------|
| (Two Levels of Approval Required) | |
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 12/2/04 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 12/30/04 |
| HR Department Signature | Date |
| <i>[Signature]</i> | 1/5/05 |
| Publisher's Signature | Date |
| <i>[Signature]</i> | |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office☐**Job Description Reviewed**☐

Changes made since last review

☐

No changes necessary

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Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5 Always excels or exceeds standards.
- 4 Consistently meets standards.
- 3 Generally meets standards. Improvement possible.
- 2 Meets standards sometimes. Improvement needed.
- 1 Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

4

Comments:

Nick is the most technically proficient member of the Sports department, with thorough knowledge of DTI and Photoshop. He knowledge greatly enhances the look and content of the section. His is a problem-solver, often taking the initiative over his supervisor to find solutions to problems as they arise. He interacts well with co-workers, although his tendency to hold co-workers to the same high standard to which he holds himself can sometimes cause conflicts on the desk. He always learns from past successes and applies experience to future projects. He does a good job of motivating writers and desk workers. He is excellent at delegating.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

4.5

Comments:

Nick does a good job of managing his time, often finishing projects and shifts early. He works in a logical manner, finishing one thing and moving on to the next. He is able to adjust on the fly and tackle problems as they arise. He always follows through in assigned tasks. His work rarely has budget implications.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3.5

Comments:

Nick regularly generates clean, accurate sections and layouts. His writing is improving, although his tendency to wear his emotions on his sleeve sometimes rubs readers and co-workers the wrong way. He sometime bristles at criticism, but generally responds well and improves his work. He is always coming up with ideas for projects and special sections to improve the paper. He is very concerned with the quality of the Sports section and seeks creative ways to work with limited space and resources. He has put a great deal of effort into updating the look of the section, and the results are obvious.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

4.5

Comments:

Nick has taken a great deal of pressure off his supervisor by shouldering the bulk of the production in the department. He is able to produce large sections in a timely manner, often taking responsibility for most of the content. He works well on his own, but does a good job of seeking input from his supervisor. He learns new procedures effortlessly and often initiates them to improve workflow.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

3.5

Comments:

Nick does a good job of communicating concerns to his supervisor. He is good at supervising projects. His interactions with co-workers can sometimes be strained. His interaction with the public is always professional. He needs to learn to translate his own high standards into goals he can inspire the whole team to follow. He has enthusiasm and talent to do the job himself. His challenge is to polish his management skills.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

4.5

Comments:

Nick is regularly looking for ways to improve workflow and processes. He is a stickler for deadlines and story lengths, which improves the production of the paper. He is the most innovative member of the department, always finding faster and better ways to do things. He is regularly looking for new assignments and projects. He delivers far more than the minimum required.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

3.5

Comments:

Nick is always on time for work and meetings and is prepared. He tends to get worked up in deadline and stressful situations, but remains productive in the process. His ethics are solid.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgment regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

4

Comments:

Nick follows department procedures closely. He is in tune with newspaper goals, often volunteering to contribute to efforts such as expanding readership at UCSB. Safety is not an issue. He does a good job of delegating and holds co-workers accountable.

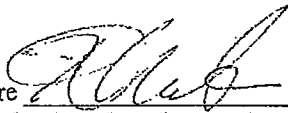
Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective: CONCENTRATE WORK ON DAILY OUTPUT, DESIGN, SPECIAL SECTION. ESPECIALLY: DEVELOP A CONSISTENT LOOK FOR ALL SEVEN DAYS OF THE WEEK.

2. Objective: DEVELOP MORE SPECIAL SECTIONS, E.G. PREP PREVIEWS, SEMANA NAUTICA, GAUCHOS ETC. NON-LOCAL SPORTS (NBA, MLB, OLYMPICS)

Employee's Signature



Date

12/2/04

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

Santa Barbara News-Press**Performance
Evaluation****Employee Information**

MARILYN McMAHON
Employee Name

Department

Job Title

Date Started Present Job

Date Started with SBNP

Date Last Review

Date Next Review

(Two Levels of Approval Required)

Immediate Supervisor's Signature

Date

Department Head's Signature

Date

HR Department Signature

Date

Publisher's Signature

Date

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office

☐
Job Description Reviewed
☐

Changes made since last review

☐

No changes necessary

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- 1** Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

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Rating

Comments:

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

Comments:

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**Comments:****4. Productivity/volume of work. Consider job-specific criteria in addition to the following:**

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**Comments:****5. Communication. Consider job-specific criteria in addition to the following:**

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**Comments:**

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating**Comments:****7. Professionalism. Consider job-specific criteria in addition to the following:**

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating**Comments:****8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:**

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgement regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating**Comments:**

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective:

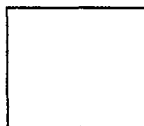
2. Objective:

3. Objective:

Overall Performance

Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.



MARILYN McMAHON'S EVALUATION 2004

1. Knowledge of the job. Rating: 4

Marilyn's longtime ties to the community are her biggest asset. They provide her with a bank of story ideas. This year, her workweek went to 32 hours, which has had an impact on her productivity. She has focused on writing home and garden and Sunday full-on and mini community volunteer profiles as well as an occasional daily feature, such as her Walkers story.

2. Use of time and resources. Rating: 3

Since going to 4 days a week, time is not on Marilyn's side. Half her week is spent on routine weekly duties (Lighting the Way page, Garden Calendar and Leftie Briefs). Which leaves two days to report and write. But, Marilyn stepped up and handled the advance on the Book & Author Festival with next to no information from the publicists and made it a reader. And, did so on deadline.

Her prewrite of Julia Child's obituary was an asset to our in-memoriam coverage of this much-loved icon. That she refused to come in on her day off to see the obituary, though, gave her editors pause.

3. Accuracy. Rating: 3

Spell-check and a second read will continue to improve Marilyn's copy, as prescribed in last year's review. Again, she is generally accurate.

4. Productivity/volume of work. Rating: 3

When asked for a time audit after she went to 4 days a week, Marilyn's response was coy.

I would like Marilyn to contribute at least one major feature and a secondary feature a week in 2005. Having been preparing albeit it an edited-down version of Lighting the Way for a month, her editor would still like a time audit on this page, Garden Calendar and Leftie Briefs. The Sunday Social News (the longest and most time-consuming) was removed from Marilyn's responsibility and given to another staff writer to free up more time for Marilyn. But, that does not seem to have helped her efficiency. She still edits a one-story Social News column for Wednesday's Life section.

5. Communication. Rating: 4

While her copy is not always sexy, Marilyn tells a good story; but, sometimes too long of a story. She and he editor have been working on story lengths, especially when there are added sidebars to keep her features manageable for her editor and the reader.

She communicates clearly and precisely with her editor.

6. Initiative. Rating: 4

Marilyn generates her own story ideas. She is particularly attuned to the community, as stated above. She has good sources, which result in good stories. She enjoys "maestroing" her story ideas and working closely with the photography department (which has sometimes been a struggle). We are working to smoothe out this rough spot.

7. Professionalism/Teamwork. Rating: 4

Always a team player and involved with her co-workers. High ethical standards and always prepared for meetings with her editor.

8. Procedures, guidelines & goals. Rating: 3

Still an issue: Lengthy (sometimes 2-hour lunch breaks), but leaves promptly at the end of shift.

OVERALL RATING: 3.5

ADDENDUM:

1. Marilyn wrote the Book & Author Festival Contest Winners story from home, 2 days after surgery.
2. She was the major source for the Stuart Taylor obituary and "worked the phones" from home to help Rob Kunzio write the final story.
3. Doesn't recall being asked to "come in" on her day off to top off Julia Child obit.
4. Wants a full-on "compiled by" credit for Lighting the Way page.

Santa Barbara News-Press**Performance
Evaluation**

ENTERED JAN 07 2005

Employee Information**Mark Patton**
Employee Name**Editorial**
Department**Senior Writer**
Job Title

Date Started Present Job _____ Date Started with SBNP _____

Date Last Review _____ Date Next Review _____

| | |
|-----------------------------------|----------|
| (Two Levels of Approval Required) | |
| <i>[Signature]</i> | 12/13/04 |
| Immediate Supervisor's Signature | Date |
| <i>[Signature]</i> | 12/30/04 |
| Department Head's Signature | Date |
| <i>[Signature]</i> | 1/5/05 |
| HR Department Signature | Date |
| <i>[Signature]</i> | |
| Publisher's Signature | Date |

Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office☐**Job Description Reviewed**☐

Changes made since last review

☐

No changes necessary

SB News-Press Performance Review...

Performance Management plays a key role in helping the Santa Barbara News -Press fulfill its future goals. The Performance Management System is designed to provide you with constructive feedback on your performance and assist you with maximizing your productivity. The program is a comprehensive managerial process for developing an environment that enables each employee to reach his/her potential in pursuit of organizational objectives.

After you and your supervisor discuss your performance, the evaluation form will be returned to you for your signature to confirm that a discussion took place. You may, if you wish, enter additional comments of your own. A copy of the completed form, with your comments (if any), will be given to you and the original will be on file in the Human Resources Department.

Additional information regarding the Performance Management System can be found in your Employee Handbook.

Standards

Discuss strengths and weaknesses for the performance of the following standards using the scale below:

- 5** Always excels or exceeds standards.
- 4** Consistently meets standards.
- 3** Generally meets standards. Improvement possible.
- 2** Meets standards sometimes. Improvement needed.
- 1** Does not meet standards. Improvement required.

1. Knowledge of the job. Consider job-specific criteria in addition to the following:

Demonstrates proficiency in the technical skills required of job. Exhibits ability to solve problems creatively and efficiently. Examines options and makes decisions in a timely manner. Considers relationship of own work to others in the department and the rest of the newspaper. Interacts with members of the team, department and organization effectively. Applies experience from successes and mistakes to improve performance. Demonstrates ability to motivate and develop a team through example and challenge (supervisors).

Rating

3

Comments:

Mark has a good grasp of his job. He could improve his knowledge of the DTI system, especially when filing by remote. He sometimes has trouble following protocol on event coverage. Specifically, he has trouble with deadlines and writing to a prescribed length. He interacts well with co-workers and is eager to help when necessary. He has an excellent knowledge of the area and its history, which he incorporates into his writing.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

2.5

Comments:

Mark generally does a good job managing his time, especially when working on columns and features. He is good at prioritizing to finish jobs in a timely fashion. He falls short on event coverage, often failing to meet deadlines. This is one area he needs to work on. He accepts assignments willingly and completes what is asked of him. He generates most of his own column and feature ideas. He is conscious of budgetary concerns when planning coverage of events.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating**3.5****Comments:**

Mark is among the most accurate writers in the department. His material rarely requires corrections and it is clear and easy to read. He responds well to feedback and perhaps doesn't receive enough from his editor. His writing style is engaging and conversational, especially in his columns.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating**3.5****Comments:**

Mark's output is impressive. He easily handles three columns a week. He covers the local tennis scene thoroughly. He volunteers to write features on a weekly basis. He generally works independently, but does a good job of keeping his editor up to date on what he's working on.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating**3.5****Comments:**

Mark is very clear in his writing and speaking. There have been very few communication breakdowns between him and his editor. He is good at keeping others updated on what he's working on. He is very courteous when communicating with the public. He knows when to defer to his supervisor's judgment and often seeks out that judgment when faced with a difficult decision.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating**2.5****Comments:**

Mark is generally detached from most of the workflow issues on the desk because of the nature of his job. He could improve in his planning and following through on what he has planned. He does a good job of generating story ideas, but sometimes fails to come through with a story or a

concrete run date. He has an opportunity to have several weeks of features and columns mapped out. That kind of advance planning could improve art assignments and presentation. He often volunteers to jump on stories and beats as they arise and has little trouble picking up for other writers. His output exceeds the minimum required.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

3.5

Comments:

Mark is very professional in his interactions with co-workers and the public. He adjusts his schedule on a daily basis to accommodate his production, whether it be a night game or a feature story. He stays calm in stressful, deadline situations. He is very aware of ethical considerations and often brings up such issues for discussion.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgment regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

2

Comments:

Mark has difficulty with department procedures, especially story-filing procedures for night events and deadlines. Otherwise, he has a firm grasp of department goals and it is reflected in his writing. He generally complies with new initiatives. Safety is not an issue.

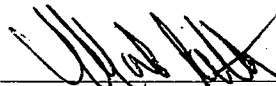
Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective: Improve on deadline performance, although it has not been a major problem.

2. Objective: Work on long-term planning to improve design, projects, more in-depth writing.

Employee's Signature



Date

12-13-04

(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

NAME: Mark Patton

DEPARTMENT: Sports/Editorial

How would you assess your work performance in the last 12 months?

I believe I've been a consistently strong performer. The number of comments I receive about my columns and features indicate that I'm touching upon subjects of strong interest, and presenting them in an interesting fashion.

What successes did you have?

A sports feature I wrote about a UCSB water polo player from Bosnia received a first-place award this year from the Associated Press News Executives Council.

What are your strengths and how do you use them?

I have a tremendous network of sources and a solid background in Santa Barbara sports, having grown up here and having written sports for the News-Press for the last 26 years. I maintain strong contacts within my main beats — UCSB athletics, and tennis. I consider myself a very engaging person and able to make people feel at ease during interviews. I think I have a good sense for what touches our reader's interests. I also believe I have a fluid writing style and a good sense of humor, which can make my stories both entertaining and easy to read.

What areas of your performance do you feel needs improvement?

I have the tendency to push deadline on late-track stories to the final minute, hoping to get the best story possible, and because of that will get into trouble when there is a problem with the computer, or phone, or other things.

Skills acquired or improved since last review?

I bought a new G-4 home computer this year and, in the process, honed up on my computer skills with the aid of several manuals and on-line computer services.

Job-related accomplishments?

The APNEC sports writing award.

Seminars attended/continuing education?

None within the last year.


Contributions to the News-Press?

I represented the News-Press this year as a guest speaker before several schools and organizations. I also still serve as a member of the City Recreation Department's MacFarland Award Committee, and just recently completed a term as a member of the Page Youth Center Board of Directors.

Memo to file (6/1/04)

Mark Patton's performance problems as noted in his 2003 evaluation have improved, particularly in regard to his deadline performance and future planning. He is more conscious of story length and deadline as they pertain to the overall production of the paper. His copy output has been satisfactory.

A handwritten signature in black ink, appearing to be "GTS" or similar, located below the main text block.

Santa Barbara News-Press**Performance
Evaluation**ENTERED FEB 03 2005 **Employee Information**


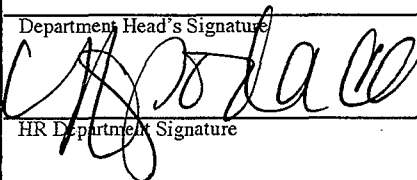
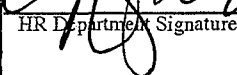
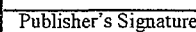
Barney Brantingham
 Employee Name _____

Newsroom
 Department _____

Columnist
 Job Title _____

Date Started Present Job _____ Date Started with SBNP _____

Date Last Review _____ Date Next Review _____

| | |
|--|----------|
| (Two Levels of Approval Required) | |
|  | 12/15/04 |
| Immediate Supervisor's Signature | Date |
|  | |
| Department Head's Signature | Date |
|  | |
| HR Department's Signature | Date |
|  | |
| Publisher's Signature | Date |

 Copies: ☐ Employee ☐ Supervisor ☐ HR Department ☐ Publisher's Office
☐**Job Description Reviewed**☐

Changes made since last review

X☒

No changes necessary

SB News-Press Performance Review...

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1. Knowledge of the job. Consider job-specific criteria in addition to the following:

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Rating

3

Comments:

Barney knows the community better than most. He is good at tipping the metro desk to potential stories. His column would be more timely and convey the sense that readers should go there first if he didn't frequently repeat items that appeared days before in other parts of the newspaper --sometimes even in the listings-- without adding a new twist or spinning them forward.

2. Use of time and resources. Consider job-specific criteria in addition to the following:

Manages time effectively. Organizes work logically and systematically. When necessary adjusts priorities appropriately. Meets deadlines consistently. Follows through on assigned tasks. Uses available resources effectively. Is able to anticipate problems and has contingency plans in place. Considers impact on budget when making decisions (non-supervisors). Demonstrates ability to control costs and meet budgetary goals (supervisors).

Rating

3

Comments:

Barney consistently meets deadline.

3. Accuracy/quality of work. Consider job-specific criteria in addition to the following:

Produces accurate work according to instructions. Improves work based on feedback. Strives to continually improve the newspaper.

Rating

3

Comments:

Barney's work is accurate but is not always as thoroughly reported as it should be. He sometimes needs to be prompted to seek the other side of a controversy or uses the other side of a dispute as fodder for a second column when it would more appropriately be part of the first (the series of columns about taxi fares to the airport is one example, the cows atop City Kitchen is another.) Again, more thorough, timely reporting would infuse his column with more of a sense that it is the part of the paper that's a must-read.

4. Productivity/volume of work. Consider job-specific criteria in addition to the following:

Generates an acceptable volume of work. Works independently with appropriate level of supervision. Is able to learn new procedures and systems at an acceptable pace.

Rating

3

Comments:

Barney meets his obligations and occasionally writes an extra piece.

Barney writes frequent travel pieces for the Sunday paper that should also be noted.

5. Communication. Consider job-specific criteria in addition to the following:

Expresses thoughts clearly when speaking and writing. Listens attentively and seeks clarity when needed. Provides timely information to team members, supervisors and other departments about ongoing projects. Demonstrates courtesy when communicating with the public and co-workers. Recognizes when tenacity is helpful and when it is time to accept a supervisor's decision. Addresses personnel issues quickly to achieve resolution (supervisors).

Rating

3

Comments:

Barney lets his supervisor and others know what he's working on and when he'll be out of the office.

6. Initiative. Consider job-specific criteria in addition to the following:

Recommends ways to improve the flow of work and processes. Demonstrates innovation and looks for opportunities to improve the quality of the newspaper. Initiates requests for new assignments and offers to help others. Takes appropriate follow-up actions. Delivers more than the minimum required.

Rating

3

Comments:

Barney's contacts, history, knowledge of the community and writing flair add up to a writer who should appear on Page 1 more often, with more scoops that are the talk of the town. His Dr. Laura scoop is a great example of what we'd like more often.

7. Professionalism. Consider job-specific criteria in addition to the following:

Arrives punctually for work and meetings. Comes prepared for the task at hand. Remains calm in stressful situations. Demonstrates the highest ethical standards.

Rating

3

Comments:

No problems here.

8. Procedures, guidelines & goals. Consider job-specific criteria in addition to the following:

Follows department and company procedures in a timely manner. Demonstrates knowledge of company goals and strives to achieve them. Promotes new policies and procedures to support company goals. Uses good judgment regarding safety. Is able to set clear goals, delegates effectively and establishes accountability (supervisors).

Rating

3

Comments:

No problems here.

Future Performance Objectives

(Describe 1 - 3 mutually developed objectives.)

1. Objective: Work for more "scoops."
2. Objective: Make sure to get "the other side" when appropriate.
3. Objective: generally raise the column to a higher level

Overall Performance

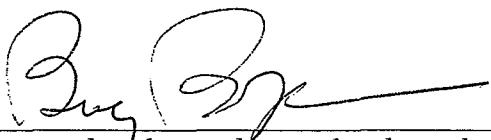
Considering the performance of the Standards calculate the employee's overall job effectiveness as you see it.

Calculate the average of the performance standards by adding them and dividing by 8.

3

Employee Comments (Optional)

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Employee's Signature  Date 12-15-04
(Your signature indicates that this evaluation has been discussed with you. It does not necessarily imply agreement.)

SBNP/revised- June 2004

Dec. 15, 2004

Regarding my performance review for 2004:

I regard it as unfair, unbalanced and focuses on the negative while neglecting the positive. For instance, when it claims that I repeat items that have already appeared in the paper, this no doubt reflects what I feel is the need to comment on a subject, it neglects to mention the many times that items in my column are followed in a few days by news stories and features in the paper that apparently were spurred by my reporting.

If the news desk is taking tips from my column to enlarge a story, fine. But shouldn't that mentioned in my review along with criticisms?

I do my best to get the other side, but this is an opinion column, not a news story and I don't think I should be criticized for giving my opinion. I work hard to make the column timely, trying to score scoops and do items, often human interest stories that haven't and never will make news stories. And I firmly believe our readers do consider it a must-read. I'm frequently told that it is the only thing worth reading in the paper.

I also find it outrageous to be criticized for not having columns placed on Page One, when in my opinion many of them could have been and I have been surprised when they were not. Since I do not make these decisions I fail to see how I can be criticized for someone else's decisions.

I also resent the put-down that I "occasionally" write an extra piece. I have never refused to take an extra assignment. And this comment belittles my extensive travel pieces, like the recent Cuba story. These stories involve extensive work, writing time at home, camera work and expenses, stories that I contribute for no compensation, and no word of appreciation, either. I would like to remind you that one of my pieces, on Moscow, helped win a prize for the paper. Why not a mention of this?

In general, I consider this evaluation a belittling comment on my contribution to the News-Press and lack of understanding of it. Obviously, I can improve my work, which is what I strive to do on a daily basis. I don't object to constructive criticism. We all need it. But this evaluation is not objective and falls short of a balanced comment on my work. I find it unacceptable and insulting.

I also object, as many others have, to reducing a person's year's work to a number.

I would respectfully ask for a new look

Barney Brantingham

From: Linda Streen <lstreen@newspress.com>
Date: Tuesday, December 14, 2004 4:49 PM
Subject: FW: evaluation - Melinda Burns

ENTERED FEB 03 2005

EVALUATION - ~~MELINDA BURNS~~
OVERALL RATING: 3.7

1. Knowledge of the job.

Melinda is our most senior reporter whose many years in journalism have given her excellent reporting skills. She knows the job inside and out, whether it's a story on transportation, labor or planning issues. She knows how to build up sources of every kind, from the bureaucrat to the farm worker. She is one of the few reporters in the newsroom who can do projects and series, as evidenced by her seven-part transportation series and Mixtec coverage, culminating with her most ambitious project on the Mixtecs and corn. She is very deft at breaking down a project and organizing it in logical sequences. She has delivered some scoops such as the farmworker jailed with tuberculosis.

Rating: 4.2

2. Use of time and resources.

Melinda is meticulous in her research and writing, but often it takes her longer to complete stories than the city desk would like to see. She has excellent skills when it comes to using resources to glean information for her stories.

Rating: 3.5

3. Accuracy/quality of work.

Melinda deals with a lot of data and is extremely careful about accuracy, resulting in few corrections. She has put together many thoughtful stories that show she can dig below the surface to answer the whys. The quality of her work is superb. Her writing is clear, organized and concise. However, we would like to see her stretch her writing skills, try a more lively tone and capture the color of the people she is writing about.

Rating: 4.0

4. Productivity/volume of work.

Melinda's productivity is far below other reporters because of the time she puts into her projects. We would like to see her do more daily stories off her beat along with quick weekend pieces that take a few days rather than weeks.

Rating: 2.8

5. Communication.

Melinda keeps the city desk informed about her stories and the progress she is making. She keeps her cityweek up to date. When she works on the weekend she needs to always get prior approval. She is good about sharing her knowledge of issues with other reporters.

Rating: 3.5

6. Initiative.

Melinda is self-driven, perhaps more than anyone in the newsroom. She goes the extra mile or the extra interview to get the story. She spends a lot of her own time informing herself about issues she covers. She comes up with great story ideas and projects -- we'd like to see more.

Rating: 4.0

Tue, Dec 14, 2004 4:49 PM

7. Professionalism.

Melinda is highly professional in her dealings with sources. She has been criticized in the past for letting her own strong feelings on issues creep into stories. That still occurs but she is trying to be on guard against it. She accepts the advice of editors on stories and is generally easy to deal with. However, she sometimes must be prodded to do a daily story that is needed by the city desk.

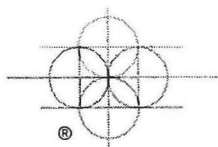
Rating: 3.8

8. Procedures, guidelines and goals.

No problem.

Rating: 4.0

*
~~Foulsham did not get original back~~
~~from Melinda.~~

**GCIU**GRAPHIC COMMUNICATIONS INTERNATIONAL UNION
2315 JEWELL LANE, SOUTH ST. PAUL, MN 55075

PHONE: 651/457-3988

FAX: 651/450-2003

CELL: 202/330-2316

e-mail: ncaruso@gciu.org

NICHOLAS CARUSO, INTERNATIONAL REPRESENTATIVE

September 22, 2008

Wendy McCaw
Co-Publisher/Owner
Santa Barbara News-Press
715 Anacapa Street
Santa Barbara, CA. 93101

Dear Publisher McCaw,

I once again find it necessary to set the record straight on issues raised in a memo you sent to newsroom employees earlier this month.

Your letter is marked confidential as if this were a secret communication between you and the employees with the implication that if they were to divulge this information, there would be consequences. How ironic, you regularly publish Management's perspective on the sessions in the daily paper, but if the employees were to discuss your viewpoint they would be releasing confidential information. My comment is not an attempt to silence the great freedom fighter Travis Armstrong, it is merely an observation. Terms and conditions of employment are not considered to be *confidential information* and that would include Management's updates and interpretation of the bargaining sessions.

You are incorrect in your assertion that the Union unilaterally refused to meet with Management. The matter was discussed with the federal mediator and it was agreed to by both parties. The allegations of unlawful secondary boycott activity are also not accurate. The action is protected under the law and will continue unless we choose an alternative activity to replace it, or the parties reach a settlement. The current activity of leafleting at News-Press Advertisers was the consequence of, and response to several months of Management's bad faith refusal to bargain. The Union's filing of Board charges was also a reaction to Management's unwillingness to bargain in good faith and its other multiple unfair labor practices committed since the bargaining began.

If Management is truly serious about wanting the situation in Santa Barbara to return to normal, it is as simple as recognizing the newsroom employees have the right to form a union and bargain over wages, hours and working conditions. If this is reflected in Management's positions at the table we will reciprocate your efforts and a settlement is sure to soon follow. I would add that your expressed desire to meet face to face so that more progress can be achieved must be taken with skepticism since I have not seen any attempt to make progress come from Company Representatives.

JDA1352

Response to the Publisher

The continued attempt to tie the Union or former Employees to the alleged slashed tires and phony checks is not working or even worthy of a response. To confront me at the table with events that in no way involve the Union would waste the little time we spend together.

If more of a concerted effort was made to discuss and resolve issues at the table than to cultivate material for the Paper's hit pieces, negotiations would have been completed long ago. You may be sincere in your interpretation that the Union's proposal did not provide vacation the first year, but that was not our intention and Management Representatives made no attempt to ask for a clarification before telling us what we meant.

On the other hand, we did try to seek a clarification on the Employer's vacation proposal regarding annual carry-over, but no-one on the Management team could answer our question and the company spokesperson refused to meet with me to discuss it.

Lastly, the Employee Integrity proposal deals mostly with the Employee's Byline and other issues that are crucial to reporters as employees. We do not share the viewpoint that an employee's name belongs to the paper. The story is the story (which we agree is content). However, the reporter's name is his/hers and this signature (byline) to a story can reflect personally on the reporter's integrity and reputation.

To ask a reporter to agree to a change that they do not believe reflects the story they have written would be like telling that individual to be dishonest. We do not dispute Management's right to make the change, only to allow the reporter to remove the byline if he/she desires.

If a substantive change is made to a story that the reporter feels does not accurately reflect what they have observed and reported, how can Management justify refusing to have a conversation on that change and ultimately allowing the employee to remove his or her byline if an agreement cannot be reached? I have been informed by multiple sources that the prior consultation and byline option is, and has historically been the practice in the Santa Barbara News-Press newsroom and is a common practice in newsrooms elsewhere. It is a sound practice that protects the interests of both the Publisher and Reporter and I cannot understand Management's opposition to putting this language into the Agreement.

In any case, the Employer has expressed its position that it believes the language is permissive and the Union has communicated we believe the language is mandatory. The Union has withdrawn the proposal at Management's request and now has filed a charge. It is most unfortunate that rather than reasoning on such matters at the table, the issues need to be resolved by a court or government agency.

In closing let me say that I have been a Union Representative at various levels for more than 30 years. I have negotiated and administered too many contracts to remember with major corporations and small businesses. To my recollection there has not been a

Response to the Publisher

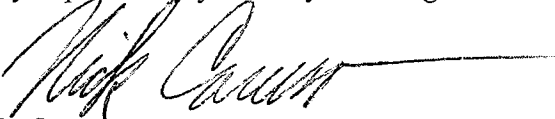
situation when an employer has expressed a legitimate concern that the Union committee has not worked to resolve by collaboration or compromise.

Since my involvement with the Santa Barbara News-Press began approximately one year ago, I have witnessed an unparalleled waste of resources by Management. First it was to fight the Unionization itself and the duty to bargain. Then it was against discussing certain issues. If that time, energy and money were expended to improve the lives of the workers and the health of the paper, how different would the situation in Santa Barbara be today? When Management Representatives can only schedule two days often five or six weeks apart, it is difficult to make any progress. Management's actions must be consistent with your words advocating a commitment to bargain if we are to reach a settlement.

You have a choice. We can continue to fight for eternity over all issues or we (through your representatives) can sit down and say what will it take to work through our issues and reach a settlement.

I hope you will take this opportunity to respond constructively and avoid the temptation to colorfully express why you feel you are right and we are wrong.

Sincerely,



Nicholas D. Caruso
International Representative GCC/IBT



GCC/IBT

NICHOLAS CARUSO, INTERNATIONAL REPRESENTATIVEGRAPHIC COMMUNICATIONS CONFERENCE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

2315 Jewell Lane, South Saint Paul, Minnesota 55075

Phone: 651-457-3988 Fax: 651-450-2003 Cell: 202-330-2316

E-mail: ncaruso@gciu.org



October 6, 2008

Arthur Von Wiesenberger
Co-Publisher
Santa Barbara News-Press
715 Anacapa Street
Santa Barbara, CA. 93101

Dear Publisher Von Wiesenberger,

I am writing in response to a recent *Letter to Our Readers* published in an edition of the Santa Barbara News-Press.

Your version of what has happened in the negotiations and that of co-publisher McCaw are so outrageously different from what is actually occurring at the bargaining table that it is difficult to believe you are describing the sessions in which I have participated. Since neither you nor Publisher McCaw have ever attended a session, it is difficult to determine whether you are deliberately distorting the truth to the employees and public or are simply misinformed.

Some of the inaccurate portions of your letter cannot be blamed on a miscommunication between you and bargaining your representatives. For example, the Union was recruited by former and present employees. This is not my opinion, this is a fact. Despite your efforts to purge the unit of union supporters, there are still pre-election employees working in the newsroom.

CP

Your statement that: "*Following the vote a significant percentage of newsroom employees quit.*" appears to be intended to leave the reader with the impression that the newsroom employees quit because the Union prevailed in the election. The Union was elected by a vote of 33 to 6. The vast majority of employees who left over the past two years can more likely be attributed to the steady decline of working conditions in the newsroom, which we are trying to address at the table. There are also a number of employees who were illegally terminated including a negotiating committee member. Your claim that we have proposed rehiring the terminated employees in bargaining is simply untrue. We recognize that Management has been unable or unwilling to admit to any wrongdoing or errors regarding Management decisions including the terminations and it would be pointless to try to address them at the table. They will be resolved through the NLRB and the courts.

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Response to the Publisher
October 6, 2008

Your opinion that the Santa Barbara News-Press has bargained in good faith is shared by very few of those who are in a legitimate position to judge.

In fact the National Labor Relations Board is currently planning to prosecute News-Press Management for *not* bargaining in *Good Faith*. I would add that the News-Press has also filed Bad Faith Bargaining charges against the Union, but after investigation the Board found nothing to support the allegations and they were dismissed. I expect the most recent Bad Faith charges filed by Management Representatives are also lacking any credible evidence to support them and will meet the same fate.

Your description of the positions of the respective parties at the table demonstrates a lack of understanding with regard to the negotiations process.

The information requested by the Union is standard and necessary to better understand the issues to be discussed by the parties. Management has provided some information but in other cases Management Representatives have not even bothered to respond to requests much less provide the needed information, forcing the Union to file charges with the NLRB. The General Counsel has concurred on several of the charges and investigation is pending on others. The failure to respond on a timely basis and force the filing of charges is an unnecessary waste of time and money for both sides.

As to the reasonableness of the parties' positions, I can only say that the proposals presented to the employer are commonly found in collective bargaining agreements in the industry and across the country.

Management's proposals on Discharge & Discipline and Grievance Procedure reflect a position that accountability is a one way street. What responsible party would enter into an Agreement that says if a dispute arises over a term of our Agreement the alleged violator can determine if the violation occurred? The Union has proposed impartial arbitration by a neutral third party for disputes. I understand McCaw herself has recently benefitted by the decision of a panel of neutral arbitrators, yet she does not want to be held accountable for adhering to her terms of agreement with her employees.

Likewise, Management's proposal on D&D undermines the contractual rights of the employees by allowing discharge for no legitimate reason. A responsible employer should not need such language. Management's spokesperson has stated that he has negotiated a number of Agreements with such language, but could not produce any. Instead he presented a single contract from a newspaper in Florida that was likely bargained by a small group of employees who did not seek the guidance of experienced staff. If you have associates in the industry with Collective Bargaining Agreements, ask them if Just Cause and Arbitration are in their Agreements. See how many do not have these clauses.

What I did not see in your letter to your readers was the fact that Management has hardly moved from its initial position of maintaining the pre-union status-quo. Management's persistence in perpetuating the illusion that employees are happy with their current

Response to the Publisher
October 6, 2008

working conditions is not supported by the fact there has been major and unprecedented turnover in the newsroom the last two years. Happy employees do **not** quit their jobs.

Your opinion that the Union wants control of the newspaper has been challenged by the Union repeatedly at the table. We are not seeking to control the paper; we have been trying to provide the workers with the necessary tools to do their jobs efficiently and safely.

The court decision you make reference to is on appeal and will likely be overturned.

The decision to share meeting room costs was a joint decision and **part** of the ground rules. Management has made the location arrangements and the Union has been agreeable to date. We have offered to make the arrangements and have proposed meeting more frequently than the current two days a month.

In closing let me say that the Santa Barbara News-Press today is not the quality paper that it has historically been. You know it. I know it and so does all of Santa Barbara. To believe otherwise would be pure fantasy. If problems are not acknowledged they cannot be fixed. Good faith bargaining over the news department employees' terms and conditions of employment would go a long way toward improving the entire situation.

If you truly want to move forward and direct energies and resources towards enhancing the Paper, start backing up your words with actions at the table. The conflict you speak of between the Union and Management has been created and protracted by Management's obstinate refusal to bargain in good faith over the labor relations issues that affect employees and Management.

I am including my letter sent to Publisher McCaw earlier this month. I did not copy that letter outside of legal simply because I was very critical of her employee memo and while I offer solutions to the current conflict, my letter could be embarrassing to her if it were to be released to the public. Since you have chosen to continue her line of attack with your letter to the readers, I feel I now need to share this letter and my letter to McCaw with the employees and public to at least counter the inaccuracies in your letters.

It is my preference to assess the legitimate needs of the parties at the table and work towards a settlement. If this had been the approach of Management from the beginning or if you had sent representatives to the table who were capable of and interested in sincere good faith bargaining, our contract would have been settled long ago and the dispute would not have evolved to its present state. I would be on to other assignments and you would be dealing with the day to day issues related to putting out the daily news.

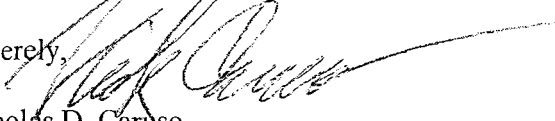
Your letter to the readers signals to me that at this point Management has chosen to continue to ignore my suggestions as most recently outlined in my letter to McCaw last month. If it is your preference to focus on growing and intensifying our dispute we will not back down and we will continue to fight the fight within the limits of the law.

Response to the Publisher
October 6, 2008

However, if the Publishers finally come to the logical conclusion that enough is enough and working to reach an amicable Agreement is in the best interest of all concerned, then your proposals and bargaining approach need to reflect this change. Even parties as far apart as we are can make significant progress towards a settlement when *both* parties make it a priority.

If you have questions or concerns, please let me know.

Sincerely,



Nicholas D. Caruso
International Representative GCC/IBT

CC: News-Room Employees
Union Negotiating Committee

Editorial Contract, January 1, 2006 – April 1, 2010

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COLLECTIVE BARGAINING AGREEMENT**BETWEEN****NEWSDAY, INC.****AND****LOCAL 406****THE GRAPHICS COMMUNICATIONS INTERNATIONAL UNION****EDITORIAL AGREEMENT****January 1, 2006 through April 1, 2010**

THIS AGREEMENT is entered into this 1st day of January, 2006, between NEWSDAY, INC. of Melville, New York, hereinafter called "Newsday" and Nassau County Printing Pressmen and Assistants' Union, Local No. 406, G.C.C., subordinate to the International Brotherhood of Teamsters, hereinafter called the "Union", for the purpose of establishing minimum wage rates and conditions of employment.

SECTION 1 - DURATION

This Contract shall be in effect from January 1, 2006 and shall continue in effect for four (4) years and three months, ending April 1, 2010. This Contract shall continue in effect for one year after April 1, 2010, unless sixty (60) days' written notice of intention to change shall be given to either party prior to its expiration date.

SECTION 2 - RECOGNITION

Newsday recognizes the Union as the sole and exclusive bargaining agent for all employees (Appendix A hereto) in the Editorial Department, whose job classifications are not specifically excluded by the consent agreement approved by the Regional Director of the NLRB on July 6, 1973, or by the Report on Objections and Challenges dated February 22, 1974, or by the Hearing Officers' Report and Conclusions on Challenged Ballots dated January 9, 1975, and by Appendix B hereto.

SECTION 3 - UNION SECURITY

1. As a condition of continued employment, all employees who are members of the Union upon ratification of this agreement and all employees who thereafter become members of the Union shall remain members in good standing during the life of this agreement.
2. A new employee hired subsequent to the effective date of this agreement shall, as a condition of continued employment, become a member of the Union no later than thirty (30)

days after successful completion of the probationary period.

3. Any exemptions to union security in existence at the time this Agreement is executed and any incumbents who are exempt at the time this Agreement is executed shall be grandfathered for the purposes of this Agreement. (Attachment I).

SECTION 4 - CHECK OFF

1. Newsday will deduct as a matter of convenience to employees and the Union, once each month in a payroll week designated by Newsday, monthly union dues from each employee who furnishes Newsday with a voluntarily signed payroll deduction authority card, which shall be in compliance with Section 302 (C) (4) of the Labor Management Relations Act, as amended. Such deductions shall be made only for authorizations that are on file with Newsday and not revoked or canceled in writing. Newsday assumes no liability for failure to deduct dues for any reason.

2. Newsday will pay to the Union in the subsequent calendar month all dues collected in the prior month with a supporting detailed listing of each employee's deductions. Upon request of the Union, and with sixty (60) days advance notice, such deductions can be made biweekly.

3. DRIVE Deduction: Upon receipt of appropriate written and signed authorization from employees who are members of the Union, the Employer will recognize a lawful, voluntary authorization for the DRIVE deduction from wages. The DRIVE deduction shall be made from regular pay in each pay period and remitted monthly to National DRIVE c/o International Brotherhood of Teamsters, Washington, D.C. Such deductions shall be made only for authorizations that are on file with Newsday and not revoked or cancelled in writing. Newsday assumes no liability to deduct for any reason.

4. Newsday agrees that, if so requested by GCC Local 406, Newsday will facilitate a "check-off" feature for Newsday employees who wish to voluntarily contribute to the Inter-Local Pension Plan of the GCC. Funds collected in such a manner will be delivered to Local 406 no later than end of the calendar month following the month in which the funds are collected. A periodic accounting of each employee's contribution will also be made available. Such deductions shall be made only for employee's written authorizations that are on file with Newsday and not revoked or cancelled in writing. Newsday assumes no liability to deduct for any reason.

SECTION 5 - JOB TRANSFERS AND OFFICE RELOCATION

1. In the event an employee is permanently reassigned to or from the Washington, Albany, or other additional news bureaus outside of the Metropolitan area, the employee will be notified thirty (30) days in advance and Newsday will reimburse the transferred employee for all reasonable moving expenses.

2. Should Newsday expand or relocate any office or news bureau of its Editorial

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Department, the Union will retain jurisdiction over all persons within the bargaining unit employed in an editorial capacity in such location.

SECTION 6 - PROBATIONARY PERIOD

During the first six months of employment, an employee will be on probation. Progress reports will be made to the employee at the end of the third and fifth months of employment. Discharge of an employee during the probationary period shall not be subject to review under the grievance provisions of this agreement.

SECTION 7 - JOB OPPORTUNITIES

1. Newsday will notify the Union in writing of all job opportunities in the Editorial bargaining unit and will consider applicants referred to it by the Union. Newsday reserves the right to accept or reject, in its sole discretion, any such applicant for any position.

2. Newsday will post all job openings created by the departure of employees from employment with Newsday. Newsday will post all newly created job titles. Newsday will make a good-faith effort to notify employees when changes are being considered that may result in opportunities for lateral job movement or promotion.

3. An employee who is given the opportunity to try out for a higher job classification and fails in the probationary period shall be entitled to return to the former or equivalent job and salary.

4. An employee who applies in a timely fashion for a job opening shall be given an opportunity to be interviewed. If the employee is not selected to fill the job opening, he or she will, upon his or her request to the office of editorial administration, be told why.

5. A member of the support staff who performs work in a higher job classification shall be paid the higher rate of pay for that work performed. Days earned in higher job classifications shall be accrued for credit toward salary advancement.

SECTION 8 - INDIVIDUAL BARGAINING

The right of any employee to bargain individually with Newsday for wages or conditions better than the minimum standards set forth in this agreement is expressly recognized. Newsday agrees not to bargain with any individual for, or enter into any agreement providing a salary or condition less than the minimum set forth herein.

SECTION 9 - HARMONIOUS RELATIONS

Newsday will continue its policy of discussing matters of mutual interest with all employees or their representatives of the Union.

SECTION 10 - GRIEVANCE AND ARBITRATION PROCEDURE

1. Any disciplinary action, controversy, or dispute concerning the application of the Agreement ("Grievance") must be resolved in accordance with the provisions of this grievance and arbitration procedure. The applicable Union representative and Company supervisor will meet prior to the filing of any Grievance and make a good faith effort to resolve all Grievances.
2. **Step 1:** The Union is required to file the Grievance in writing with the Newsday Human Resource Department within thirty (30) calendar days of when the Union steward and/or Union official knew, or with reasonable due diligence should have known, of the existence of the acts and circumstances giving rise to the Grievance.

Step 2: Within ten (10) days of receipt of a written Grievance by the Newsday Human Resources Department, unless extended by the parties in writing, up to two representatives appointed by Newsday and up to two representatives appointed by the Union (the "Joint Standing Committee") will meet to discuss the Grievance. Newsday will provide a written response to the Grievance within ten (10) days of the Joint Standing Committee meeting. If Newsday for any reasons fails to hold a Joint Standing Committee meeting or fails to provide a written response to the Grievance within the stated time limits, the Union may, at its option, proceed immediately to arbitration. Any Grievance not settled by the parties may be submitted to arbitration no later than thirty (30) days after the date when the Company issues its written decision. Any Grievance not submitted to arbitration within the above time frames will be deemed to have been waived. A Grievance will be considered submitted to arbitration on the date that a demand for arbitration is placed in the mail.
3. The parties agree that the arbitrator shall be selected in accordance with the Voluntary Labor Arbitration Rules of the American Arbitration Association and that any arbitration will be governed by those rules and any amendments made to those rules by the American Arbitration Association during the term of this Agreement.
4. ~~All time limits for the processing of~~ Grievance(s) will be deemed mandatory requirements and the failure to comply with such specified time limits will cause the Grievance to be barred and considered completely disposed of from the standpoint of Newsday and the Union. It is understood, however, that the parties, only through mutual written agreement signed by representatives of both parties, may extend or waive the time limits of the Grievance procedure.
5. The arbitrator shall not have the power to add to, subtract from or modify any provision in this Agreement. The decision of the Arbitrator will be final and binding and the expenses and fees of the arbitrator, if any, will be borne equally by the parties.
6. Newsday may not suspend, discharge or otherwise discipline a bargaining unit employee without just cause. Grievances concerning discipline will be subject to the Grievance procedure contained in this section, except that in the case of a discharged employee, the Union may, at its option, submit the grievance to arbitration pursuant to the Expedited Labor Arbitration Rules of

the American Arbitration Association.

SECTION 11 - NO STRIKES - NO LOCKOUTS

The Union and its members covered by this agreement collectively agree not to strike or engage in or condone any illegal concerted action. Newsday agrees not to lock out its employees covered by this agreement.

SECTION 12 - DISCIPLINARY ACTION

1. Newsday reserves its right to discipline, suspend, or discharge any employee for just cause. Just cause shall include, but is not limited to, insubordination, incompetence, neglect of duty, or violation of office rules.

2. A discharged or disciplined employee shall have the right to question the fairness of any reason given for discharge or disciplinary action. Upon request, Newsday will give the reason for discharge or disciplinary action in writing within two (2) weekdays after the request.

3. An employee shall have the right to have a Union representative present whenever the Editor or the Editor's representative disciplines or discharges the employee. Newsday will notify the Union in advance of such a meeting.

4. The discipline or discharge of an employee for violation of office rules shall be subject to the grievance procedure.

5. No employee shall be disciplined or discharged for inability to perform duties of a different classification to which the employee is temporarily assigned.

6. No employee shall be disciplined or discharged for Union activities except and unless such activities interfere with the normal and regular work of the office or Newsday. All Union meetings shall be held outside of working hours and Newsday premises, except by permission of a managing editor.

SECTION 13 - BULLETIN BOARDS

Newsday will designate an area near the Editorial Library for an enclosed Bulletin Board in the newsroom of the Long Island office. In addition, space for posting of a legal size notice will be provided in the Photo, Sports, Art, Viewpoints, Library, and Part 2 departments and in all news bureaus owned or leased by Newsday where at least five employees are assigned.

SECTION 14 - HOLIDAYS

1. A day off with pay shall be granted to all employees for the following holidays or the days celebrated as such: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. (The holiday provision applies to shifts beginning during the 24-hour period of the holiday.) Where the day off cannot be scheduled on such days, an

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employee required to work will be paid at two and one-half times the regular rate of pay for all work performed on that day in lieu of the holiday. Or, if requested by the employee, be paid at one and one-half times the regular rate of pay and take an additional day off at straight time on a day approved by the supervisor. However, an employee on an out-of-town assignment during a holiday may, with the approval of the supervisor, take the actual holiday off. If the employee chooses not to take the holiday while on out-of-town assignment, an alternate day off will be granted and the employee will be paid at one and one-half times the regular rate of pay for all work performed on that day.

2. When a recognized holiday falls on a normal day off, during vacation, sick leave, or absence due to Family & Medical Leave (FMLA), the employee will be given an additional day off with pay on a day approved by the supervisor, or, if the employee requests, an additional day's pay in lieu of the holiday.

3. In addition to the holidays provided above, each employee on the payroll January 1st will be eligible for five (5) personal days off with pay. An employee hired after January 1st or on a protracted leave of absence (90 days or more) will be eligible for one (1) personal day for each three (3) months employed during that calendar year. All personal holidays must be committed or taken no later than June 30 of each year. Supervisors will assign those days that are not so committed. Such days will be taken with the approval of the employee's supervisor and must be taken within the calendar year. Terminating employees who have not taken the personal days to which they are eligible will receive pay in lieu of the unused personal days on the basis of one full day for each three months employed in that calendar year.

SECTION 15 - REDUCTION IN WORK FORCE

1. Newsday shall have sole determination of the size of the work force in the Editorial Department. In the event of a reduction in the work force in any job classification, the president of the Union, vice president of the Editorial Unit, and Long Island Unit steward and New York City Unit steward of the Union will be given two weeks' advance notice during which time the parties will, upon request, promptly meet and discuss alternative solutions.

Before instituting a layoff as provided for in this Agreement and to minimize the impact of involuntary reductions in the workforce, Newsday shall offer voluntary separation packages to employees in the affected classifications. Until December 31, 2006, the voluntary separation package shall be the "New York Newsday Buyout." However, upon the freeze of the Tribune Company Pension Plan (formerly called the Times Mirror Pension Plan), the special lump-sum pension distribution will no longer be a component of the New York Newsday Buyout package. On or after January 1, 2007, the voluntary separation package will be greater than Newsday's severance policy as set forth in Newsday's Employee Handbook at the time of the layoff and shall contain a company-paid or company-subsidized medical benefits component. Newsday reserves the right to unilaterally design, establish and offer said voluntary separation packages from time to time (including the medical component and a waiver/release).

Written notice of the proposed reduction in force, the classification(s), the number of employee(s) affected in the classification(s), and the terms of the voluntary separation package

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shall be provided to the Union in advance. Thereafter, the same information shall be posted for employees for a period of not less than fifteen (15) calendar days. The Union shall use its best efforts to secure or identify volunteers. If more employees volunteer than are needed, the voluntary separation packages will be given to the most senior employees in the affected classification(s).

2. Unless the parties agree on an alternative solution, employees in the affected job classification will be laid off in inverse order of length of service within said job classification, except that in specific instances a junior employee of substantially greater ability may be passed over, or one engaged in a special project may be passed over temporarily for the duration of the project, in the application of this provision.

3. An employee laid off to reduce the force may elect either to accept the layoff with recall rights, or to return to a lower or equal job classification from which the employee had previously been promoted or transferred, provided there is another employee with less seniority, in said job classification. In the event that the employee returns to a prior job classification, the rate of pay shall be either the rate paid to the displaced employee or the rate the employee would have earned had he or she remained in the prior job classification, whichever is greater.

4. In the event that there is a reopening in the job classification in which there has been a layoff, the laid-off employee shall be offered such position in order of seniority.

Each laid-off employee will remain on the recall list one year from the date of layoff or until the termination date of this Contract, whichever is longer. A laid-off employee who fails to return to work within two (2) weeks of recall will relinquish all recall rights hereunder.

5. In the event that an employee is displaced because of the installation of new equipment, such employee will, wherever practicable:

- a. be given the opportunity to be trained for the new operation, or for another job that is available for which the employee is qualified, or
- b. exercise the layoff provision as described above, or
- c. receive severance pay.

SECTION 16 - HOURS OF WORK AND OVERTIME

1. The normal work week is thirty-five (35) hours consisting of five (5) days of seven (7) hours each, exclusive of a meal period not to exceed one (1) hour. An employee required to work before and/or after his or her regular working hours shall be paid at his or her regular straight-time rate for all time worked, provided it does not exceed four (4) additional hours in any day or five additional (5) hours in any work week. All other overtime will be paid at time and one-half the regular rate.

2. Starting times and days off will be scheduled by Newsday. Each sub-department

will post a schedule of employees' work days and shift hours two (2) weeks in advance of the calendar week for which they apply. Changes in work schedules shall be posted one (1) week in advance of the calendar week for which they apply. Unless mutually agreed between the employee and Newsday, the two (2) regular days off will be consecutive.

3. Employees may be required to work a reasonable amount of overtime in excess of the normal work day or work week. Such overtime in excess of four (4) hours in any day or five (5) hours in any work week will be paid at the rate of time and one-half. Overtime will be worked only with the prior approval of the employee's supervisor.

4. An out-of-town assignment is one that requires the employee to travel outside the New York Metropolitan area (including Long Island) and requires overnight lodging.

5. All travel time that results in overtime will be paid on a straight time basis.

6. Shifts starting at or after 1 p.m. but prior to 10 p.m. shall be called night shifts. Shifts starting at or after 10 p.m. but before 7 a.m. shall be called lobster shifts.

7. Employees required to work on their normal day off will receive a minimum of seven (7) hours of time worked unless an employee opts to work fewer hours.

8. The practices with regard to overtime compensation for the Sports Department will be continued in accordance with the memorandum dated April 1, 1990. (Attachment C)

9. (A) The overtime regulations above will not apply to employees in the following job classifications designated as Time Report Exempt (TRE):

Assistant Art Director
Assistant City Editor
Assistant Foreign Editor
Assistant LI Editor
Assistant Photo Editor
Assist Entertainment Editor
Asst National Editor
Asst News Editor
Sports Asst News Editor
Chief Librarian
Columnist
Columnist -Sports
Critic
ESG Technician-B
Photo Equipment Supervisor
Photo Lab Supervisor
Special Artist
Special Photographer
Special Writer News

Special Writer Sports
State Correspondent
Washington Correspondent

(B) TRE employees who work with the approval of a supervisor (i) six or more hours beyond their regular daily shift, (ii) 15 hours beyond their regular shifts during one payroll week, or (iii) on their normal day off, will be given a Compensatory day off. For each sixth or seventh day assigned with less than a week's notice, the compensatory time earned is increased to 1.5 days earned. Extra hours worked that produce compensatory days off under the terms of (i) and (iii) cannot be used to calculate the time required to earn compensatory time off under (ii). No more than five (5) days may be accumulated at any time and such compensatory time must be taken within a period of ninety (90) days after it is earned.

SECTION 17 - VACATIONS

1. Eligibility for vacation with pay depends on the length of the continuous service with Newsday which an employee will have on December 31 of the current year, as follows:

| | |
|--------------------------------|---------------------|
| 6 months but less than a year | 1 week (35 hours) |
| 1 year but less than 3 years | 2 weeks (70 hours) |
| 3 years but less than 10 years | 3 weeks (105 hours) |
| 10 or more years | 4 weeks (140 hours) |

Employees with 20 years or more service as of December 31, 2005 will be eligible for 5 weeks vacation.

Employees who have continuously been employed by Newsday for at least 18 years, but less than 20 years, as of December 31, 2005 will become eligible for 5 weeks of vacation in their 20th year of continuous service and will be eligible in all subsequent years thereafter.

2. Reasonable vacation schedules will be determined by Newsday. The schedules will be posted by October 1 of the prior year and all employees must designate their selection by December 1 of the prior year. If selection is not made by that date, the employee will be assigned a vacation period by the supervisor. Early vacation requests may be submitted to the supervisor for consideration, and every effort will be made to accommodate these requests. All vacations must be taken in the year earned. Where a conflict arises between employees, length of service, when applicable, will be the determining factor. If an employee's work schedule changes between December 1 and the requested vacation, the employee may select either work schedule, provided that timely notice is given.

3. Terminating employees with at least six months continuous service who have not taken the full vacation to which they are eligible in the calendar year in which they terminate will receive pay in lieu of the unused portion. Payment will be computed on the basis of one-quarter of normal vacation allowance for each full month worked between January 1 and April 30, less any used vacation time. An employee terminating on or after May 1 will be entitled to full vacation allowance less any used vacation time.

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4. Employees called into work during their vacation shall receive time-and-one-half for each day worked in addition to their regular vacation pay.

5. In the event of the death of an employee, the cash value of all vacation days due shall be paid to the beneficiary.

SECTION 18 - EQUAL EMPLOYMENT

Newsday will maintain a policy of non-discrimination with regard to race, creed, color, ancestry, national origin, religion, sexual orientation, age, sex, union membership or lack of union membership, marital status or the handicapped in hiring, continuation of employment, training, promotion or working conditions of employees. Newsday will continue to further its Affirmative Action Program of actively hiring, training and promoting members of minority groups and women for all positions covered by this Contract.

SECTION 19 - MISCELLANEOUS

Employees covered by this agreement will also be covered by the following Newsday policies:

1. Newsday Expense Guidelines
2. Leave of Absence Policy for Books and Fellowships (Attachment A - 1/14/76)
3. Staff freelance payments
4. Runzheimer Auto Plan and additions (Attachments B)
5. Severance (Attachment G)
6. Tuition Aid
7. Public Appearances Compensation Schedule (Attachment H - 7/28/88)
8. Newsday and the Union agree that the Two-Year News Intern Program currently in effect shall have no more than twelve (12) two-year news interns participating in the program at any one time.

Intern candidates must have completed a graduate or undergraduate degree within one year of beginning the two-year program. Eligible candidates must have less than one year of professional experience in the job title for which they are hired.

All intern candidates will receive annual performance evaluations.

9. Pay Levels for Part-Timers, Exclusions/Inclusions (Attachment D - April 1, 1987 as amended April 1, 1993.)

10. Newsday representatives will meet with union representatives at least once a month. The meetings will be held from 10 a.m. to 1:00 p.m. on the days that are mutually agreed upon. The meetings will be held four times a year at each of the following locations: the Long Island office of Newsday, the New York office of Newsday and the office of the Union.

11. Newsday and individual staff members may agree to a flexible workweek.. If a staff member suggests an alternate work schedule Newsday will consider such schedule to determine its feasibility, practicality and impact on operations. No change will be made unless both Newsday and the staff member mutually agree. Any decision will not be subject to the grievance procedure.

12. Newsday will review the scheduling and work hours of desk editors and make revisions as warranted.

13. Newsday will notify the Union before assigning TRE status to an individual or a newly created position (Section 16, Paragraph 9A) or creating a new position excluded from the bargaining unit (Appendix B). The creation of an excluded position and the consistency of management's actions in assigning TRE status are subject to the grievance procedure.

14. Wages shall be paid on a biweekly basis with a one-week lag. [Local 406 to withdraw its grievance/arbitration on this issue.]

SECTION 20 - JURY DUTY

Any full-time employee required to perform jury service will be paid regular scheduled straight time wages minus any pay received as a juror for such time as required to be absent from work. Such absences should be supported by a statement signed by a clerk of the court certifying as to each day of such jury service. If the employee serves on jury duty on a regularly scheduled day off, an alternate day off will be granted provided the supervisor is given at least two week's advance notice of such jury service. An employee may be rescheduled at straight time to work the shift left uncovered by the employee on jury duty. This section does not apply if an employee volunteers for such duty.

SECTION 21 - GROUP INSURANCE AND PENSION

Medical, Dental, Vision & Prescription Programs

1. Newsday will offer medical, dental, vision and prescription drug plan benefits to eligible bargaining unit employees on the same terms and conditions that said plans are offered to eligible non-bargaining unit employees of Newsday.

2. The medical, dental, vision and prescription drug plans offered to bargaining unit employees are each subject to the Publisher's sole right to modify or replace each plan, in its discretion, including but not limited to plan design, co-pays, eligibilities, percentage contributions,

etc., provided such changes are consistent with changes made to the applicable plan offered to non-bargaining unit employees of Newsday.

3. Newsday agrees that it will not increase the contribution rate paid by employees, for their selected medical, dental, vision and prescription drug plans, by more than three (3) percentage points in any plan year. The union will be provided 60 days notice of any change in the contribution rate.

4. Notwithstanding the provisions of 21.3, effective with the rollout of the 2007 medical, dental, vision and prescription drug plans, the contribution rates will be the same 2007 contribution rates applied to the non-bargaining unit employees of Newsday.

Additional Benefits

5. In addition to the medical, dental, vision, prescription programs discussed above, Newsday agrees to offer to eligible bargaining unit employees the following benefit plans under the same terms and conditions as they are offered to the non-bargaining unit employees of Newsday.

1. Long Term Disability
2. Basic and Supplemental Employee Life Insurance
3. Spouse/Domestic Partner Life Insurance
4. Dependent Life Insurance
5. Business Travel Accident Insurance
6. Accidental Death and Dismemberment
7. Health Care Flexible Spending Account
8. Dependent Care Flexible Spending Account

Newsday reserves the sole right to modify or terminate each plan, in its discretion, including but not limited to, plan design, premiums, eligibilities, etc. provided such changes are consistent with changes made to the specific benefit packages offered to non-bargaining unit employees of Newsday.

6. Retirement Benefits

- A. Newsday may, during the term of this Agreement and with at least 45 days advance notice, discontinue benefit accruals for employees under the existing Times Mirror Savings Plus Plan, and Tribune Company Pension Plan (formerly called the Times Mirror Pension Plan) - hereinafter the "Plans" - under the same terms as those applicable to non-bargaining unit employees of Newsday.
- B. Under the Times Mirror Savings Plus Plan, employee and employer matching contributions will cease as of a specified date determined by Newsday no earlier than 45 days after notice. Account balances under the

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plan will continue to be invested as directed by participants among available investments.

- C. Benefits accrued under the Tribune Company Pension Plan (formerly called the Times Mirror Pension Plan) shall be frozen as of a specified date determined by Newsday no earlier than 45 days after notice. Plan participants will cease accruing compensation and benefit service under the plan formula as of the date of the freeze. The provisions of such freeze will be under the same terms and conditions as those applicable to non-bargaining unit employees of Newsday.
- D. Coincident with the discontinuation of benefit accrual under the "Plans" bargaining unit employees will become eligible to participate in the Tribune Company Defined Contribution Retirement Plan (hereinafter "DCRP") on the same terms, conditions and contribution levels as applicable to Newsday's non-bargaining unit employees. Participation in the DCRP shall initially commence at a contribution rate of 5% of the employee's eligible compensation.
- E. Management shall have at its discretion the sole right to modify, amend or terminate the DCRP, the Times Mirror Savings Plus Plan, and the Tribune Company Pension Plan (formerly called the Times Mirror Pension Plan) provided that bargaining unit employees shall participate or cease participation in such DCRP or such Plans on the same basis as Newsday's non-bargaining unit employees.

SECTION 22 - JOB SAFETY

1. A joint Newsday/Union committee will be established to review all matters with regard to the general cleanliness of the Editorial Department and shall recommend appropriate guidelines.
2. Newsday will make reasonable efforts to provide a clean and safe working environment and to avoid conditions hazardous to the health of its employees. The employees will cooperate in maintaining a clean and safe work environment.
3. Newsday shall provide a business travel insurance policy providing benefits up to \$100,000 for accidental death, dismemberment, and permanent total disability resulting from injury.
4. Newsday and the Union agree that repetitive strain injuries or cumulative trauma disorders (collectively, RSI) constitute an exceptional circumstance requiring extraordinary measures not normally appropriate. Accordingly, the following is agreed:
 - A. A VDT Safety Committee will be established to review all matters with regard to the safety and use of VDTs and electronic layout and imaging

equipment, including, but not limited to keyboards and other inputting devices, training, radiation testing, furniture, lighting, work practices and alternative work, and shall recommend appropriate guidelines in these areas. (Attachment F) The committee will have access to all pertinent information on the subject and may call on outside expertise in the development of these guidelines. The committee will meet regularly, or on the call of either side, and shall consist of three representatives named by Newsday, one of whom will be an assistant managing editor or above, and three representatives named by the Union. The proceedings of this committee will be subject to the grievance procedure.

- B. If, on the prescription of an ophthalmologist, an employee who is required to work on a VDT as part of his or her job at Newsday purchases special corrective lenses to be worn only while operating a VDT, then Newsday will reimburse the employee for the Cost of the special eyeglasses and standard frames as work-related equipment.
- C. Any employee diagnosed by a doctor as having RSI and who must travel, within the New York Metropolitan area, more than 25 miles from his or her home to receive adequate medical treatment will be paid by Newsday the difference between the workers' compensation travel reimbursement allowance and the actual reasonable cost of travel.
- D. Freezers, double sinks and space for RSI-related exercises will be made available for employees with RSI in the Melville and 2 Park Avenue offices. The VDT Safety Committee will review the use and utility of these facilities and their possible expansion to other locations.

SECTION 23 - OFF-DUTY WORK

Employees called to perform work at home outside of their normal hours shall be paid for actual time worked in excess of 15 minutes, in accordance with Section 16.1. This does not apply to telephone calls from supervisors in which inquiries about news content of stories or other similar matters are discussed. However, supervisors will make an effort to make such calls only when necessary and within a reasonable time after an employee's shift has ended.

SECTION 24 - PERSONAL LEAVES

1. An employee may be granted a Personal Leave of Absence without pay of up to seventeen (17) weeks if in the judgment of Newsday the leave is for good and sufficient cause and is consistent with personnel requirements. The first twelve (12) weeks of a leave may be required by law under the Family and Medical Leave Act as described in Paragraph 2 below. Leaves will not be granted for the specific purpose of accepting other employment.

2. Newsday will implement the Family and Medical Leave Act of 1993 on the date this Agreement becomes effective and will adopt any federal regulations governing

implementation of the Act on the effective date of the regulations.

3. Family and Medical Leave shall be extended to cover domestic partners to the same extent that spouses are covered. Domestic partners are unmarried couples. To qualify for leaves under this Section, such couples shall consist of a full-time employee and another person who share a committed relationship in that they are (a) "living together," (b) are financially interdependent, (c) assume joint responsibility for each other's common welfare, and (d) consider themselves life partners. To qualify, these partners must be 18 years old or older, must not be legally married and must be free to enter into the relationship with each other (i.e., neither may have a similar relationship with another person). Roommates, siblings and parents are not considered domestic partners.

- (a) If an employee requests a Family and Medical Leave to care for a domestic partner, before the leave is granted the employee shall provide documentation or information to Newsday to confirm that the relationship meets the requirements stated above.

4. A Family and Medical Leave shall not constitute a break in service during the period an employee is on leave.

5. Life insurance and medical benefits will be continued during a leave, provided the employee makes the necessary contributions.

SECTION 25 - MATERNITY LEAVES

Employees who are pregnant may continue to work so long as they are able to fully perform their normal duties. When an employee is no longer able to fulfill this requirement, she will be eligible for sick leave as prescribed under Section 29 (Sick Leave). The employee is expected to return to work when medical evidence indicates her health permits it. The employee may be granted a personal leave without pay under Section 24 (Personal Leaves).

SECTION 26 - FAMILY WORK PROGRAMS

A. FAMILY WORK SCHEDULES

The Family Work Schedules Program will operate as follows:

1. A maximum of six full-time employees at any time may be granted reduced work schedules to permit them to cope with family situations. These include: (a) care of young children, elderly parents or disabled family members, or (b) other family difficulties that present the employees with serious problems. The work schedules, to be determined by mutual consent of the employees and Newsday, will consist of a minimum of 20 hours and a maximum of 28 hours a week. The determination of which employees may receive family work schedules will be at the sole discretion of Newsday after consultation with the Union.

2. Family work schedules shall be available only to full-time employees with three or more years of service at Newsday. Employees shall make requests for family work schedules at least 60 days before commencement of such schedules.
3. Upon granting a Family Work Schedule, Newsday will make a commitment to a minimum of three months up to a maximum of 18 months. If a change in or an end to the schedule is desired by the employee or by Newsday, 60 days notice must be provided. Changes may be made only by mutual consent of the employee and Newsday.
4. Employees on Family Work Schedules will be eligible to participate in Newsday's health insurance program and will receive pro-rated sick pay under Newsday's Sick Leave Policy (Section 29).
5. Employees on Family Work Schedules will receive prorated vacation. They will also receive two personal days if they are on Family Work Schedules for a calendar year (one day for six months). They also will receive company holidays on the same basis as part-time employees when the holidays fall on a regularly scheduled day of work. Eligibility for pension and 401(k) will be determined by the requirements of those plans.
6. During Family Work Schedules, employees will be assigned to jobs that lend themselves to part-time work, as determined by Newsday. For example, an assistant Long Island editor may be assigned to work as an assistant editor. Employees will receive a pro-rated portion of their full-time weekly salaries.
7. Hourly employees will receive a pro-rated portion of their full-time weekly salaries. Mutual consent of TRE employees and Newsday will determine whether the TRE employees will receive or drop the pro-rated TRE supplements during the period of the Family Work Schedules.
8. Upon completion of the term of the Family Work Schedules, employees will be offered full-time jobs for which they are qualified, comparable to their previous full-time jobs. The decision as to which jobs they are qualified for will be determined by Newsday. When a full-time job is offered to an employee at the conclusion of the agreed-upon period of the family work schedule and if the employee were to decline to accept such full-time job, the employee will be deemed to have resigned from Newsday.

B. JOB SHARING

1. An employee who requests a job-sharing arrangement, if Newsday approves the request, may share the same full-time job with another employee provided:
 - (a) Both participants are working in the same sub-department of the Editorial Department, or all sub-department heads involved are willing to accept

one participant's transfer into another sub-department. The shared job arrangement shall be subject to the approval of the Assistant Managing Editor of Administration.

(b) Both participants are fully qualified to share the same job.

2. The full-time job shall be shared in a manner so that Newsday regularly receives five days of work per week from the two employees sharing the job.

3. Both participants will be treated as part-time employees for purposes of all benefit coverage.

4. Once Newsday has granted permission for a job-share arrangement, the term of the job share shall be for a minimum of six (6) months up to one (1) year, renewable for additional terms of one (1) year at Newsday's discretion.

5. If both job-sharing participants were full-time employees at the time they entered the job-sharing arrangement, upon one participant's withdrawal from the program by leaving employment with Newsday or by accepting another full-time job at Newsday, the remaining participant must do one of the following:

- (a) accept full-time status at Newsday in the job formerly shared or an equivalent job;
- (b) apply and be accepted in another full-time Newsday job, provided another appropriate job opening exists;
- (c) apply and be accepted for a Family Work Schedule, to be granted at Newsday's discretion; or
- (d) within sixty (60) days obtain another appropriate job-sharing participant, to be accepted at Newsday's discretion under the terms of Paragraphs B (1) (a) and (b) above.

6. If the employee refuses to apply for any of these options, or if Newsday denies a participant's request for all options under Paragraph 5 (b), (c) and (d) above, the job-sharing arrangement will be terminated and the remaining participant will be deemed to have resigned from Newsday.

7. If one job-share participant was not a Newsday employee or was a part-time or temporary Newsday employee at the time he or she entered the job-sharing arrangement, this participant will be eligible for the options outlined in Paragraph 5 only at Newsday's discretion.

SECTION 27 - BEREAVEMENT LEAVES

All bargaining unit employees shall be covered under the provisions of Newsday's Bereavement Policy as stated in the Newsday Employee Handbook at the time the leave may occur.

SECTION 28 - MILITARY LEAVE

All bargaining unit employees shall be covered under the provisions of Newsday's Military Leave Policy as stated in the Newsday Employee Handbook at the time the leave may occur.

SECTION 29A - SICK LEAVE

In cases of a bona fide illness, employees are eligible for sick pay as described below. Employees are required to notify their supervisors prior to the beginning of their shift when they are unable to come to work because of illness. An employee who abuses the sick pay privilege is subject to loss of pay for such day of absence without recourse to the grievance procedure.

Full-time employees within the bargaining unit shall earn six (6) paid sick days. Up to a maximum of four (4) paid sick days may be carried over for use in the following year. Such sick days may be used if the employee is away from work due to his/her own illness or injury or that of a spouse, domestic partner, child or parent. Paid sick days will be prorated for newly-hired employees during the first year of employment. Unused sick days will not be paid out upon termination.

SECTION 29B - DISABILITY LEAVE

1. Full-time employees on an extended illness for more than seven (7) consecutive days who meet the Policy requirements are entitled to receive disability pay benefits in accordance with the Tribune Company's Short Term Disability ("STD") Policy. In order to receive pay during the first seven days of an absence, referred to as the "waiting period," an employee must use their sick, personal and/or vacation days, if available. If an employee does not have any sick, personal and/or vacation days remaining, the employee will not be paid during the waiting period.

2. Only full-time employees with six months' or more of continuous service are eligible to receive Tribune Company-paid STD benefits. These STD benefits only begin after the waiting period and apply for a maximum of twenty-six (26) weeks. After twenty-six (26) weeks, full-time employees who meet the Policy requirements are entitled to receive pay under the Tribune Company's Long Term Disability ("LTD") Policy, as provided in Section 21.5.

3. The terms of the STD and LTD Policies determine eligibility and are incorporated into this collective bargaining agreement by reference and, in the event of any discrepancies, the terms of the STD and LTD Policies will apply. Newsday must give the Union notice of any substantive changes to the STD and/or LTD Policies at least thirty (30) days before any such change becomes effective.

4. The Tribune Company-paid STD benefit for eligible full-time employees includes the New York State disability benefit. Part-time employees are only eligible for New York State disability benefits as provided under New York State law.

5. All employees who are injured at work and are deemed eligible for New York State Workers' Compensation benefits, will not be eligible for any STD and/or LTD benefits. If an employee receives any STD and/or LTD benefits and then subsequently becomes eligible for Workers' Compensation benefits, the employee will be required to remit the STD and/or LTD benefits to Newsday.

6. In addition to normal Workers' Compensation benefits received by employees who miss work due to work-related injuries, Newsday will pay eligible bargaining unit employees a wage supplement beginning on the eighth day of absence. From the 8th day of absence through the 7th week of absence, if an employee is receiving a Workers' Compensation benefit and the benefit is less than 67% of the employee's base pay, Newsday will supplement the benefit to a maximum of 67% of the employee's base pay. During an employee's 8th through 26th week of absence, if an employee is receiving a Workers' Compensation benefit and the benefit is less than 50% of the employee's base pay, Newsday will supplement the benefit to a maximum of 50% of the employee's base pay.

SECTION 30 - PART-TIME AND TEMPORARY EMPLOYEES

1. A regular part-time employee covered by this agreement is defined as an employee who is regularly scheduled to work twenty (20) or more hours per week but less than thirty-five (35) hours per week.

2. Such regular part-time employee shall be paid an hourly rate determined on the basis of the minimum weekly salary provided herein for their length of service in their job classification, plus \$1.15 per hour in lieu of Newsday benefits not provided for part-time employees. (Other part-time employees shall be paid an hourly rate that is not less than a proportionate amount determined on the basis of the minimum weekly salary provided herein for their length of service in their job classification.)

3. All part-time employees regularly scheduled to work on a day on which a holiday falls will be paid according to Section 14 Paragraph 1 of this Contract.

4. Effective January 1, 2000, part-time employees shall receive paid vacation time which shall be pro-rated based upon the employees regular scheduled hours and length of service as outlined in Section 17.

5. A temporary employee is one employed for a special project or a specified time, in either case not to exceed six (6) months, unless he or she is replacing a specified employee on a leave of a duration longer than six (6) months (for example, maternity leave or scholastic leave). When the regular employee returns from his or her leave, the temporary employee will be terminated. If the regular employee on leave does not return to work, the temporary employee will be considered for regular employment.

SECTION 31 - INFORMATION

1. Newsday will provide to the Union on an annual basis the name, address, salary, and job classification of each employee in the unit. Newsday will also provide such information on a monthly basis when an employee is hired, terminated, reclassified or receives a change in salary status.

2. Disclosure of the exact salaries of the highest paid five percent of all bargaining unit employees shall be limited to the president, editorial vice president and editorial unit steward of the Union.

SECTION 32 - BYLINES AND JOB PERFORMANCE RECORDS

1. Newsday has a practice of consulting with reporters when necessary and practical before making major substantive changes in their work. A byline will not be used over the employee's objection.

2. Employees will have reasonable access to records pertaining to their job performance and have a right to attach a signed response.

SECTION 33 - AUTOMATION

1. It is Newsday's policy that no employee shall lose employment at Newsday solely as a result of automation unless and until reasonable efforts to retrain the employee have been attempted and failed, in accordance with Section 15 Paragraph 5 of this agreement.

2. Newsday recognizes the need to train all employees required to use new equipment that has been or is scheduled to be placed into regular daily production, and will provide this training at its expense during work hours. Training opportunities will be posted, except for training for the use of experimental equipment.

3. During the selection, testing and development of equipment, and the development of an electronic newspaper, Newsday will regularly discuss with the Union and relevant Union department representatives plans and training opportunities on such equipment. These opportunities may be limited by the experimental nature of these projects.

SECTION 34 - DRUG AND ALCOHOL TESTING

Newsday's published policy is to require drug and alcohol testing as part of a program of rehabilitation or for cause. Cause may include any action that endangers the safety of a Newsday employee, damages equipment, or interferes with the production of the newspaper. Newsday's determination that there is cause for testing may be grieved by the Union. In the event that the Union does grieve the determination of cause, the results of the test shall be held confidentially by the testing laboratory and may be disclosed to the employee, but shall not be disclosed to Newsday or the Union until the grievance is resolved. If the grievance is resolved in favor of

Newsday and the results of the test are positive appropriate rehabilitation will be prescribed through the Employee Assistance Program. If the grievance is resolved in favor of the Union, all record of the test or its having been administered will be destroyed.

SECTION 35 - WAGE SCHEDULE

[See Attached Wage Schedule]

SECTION 36 - SHIFT DIFFERENTIAL

1. For each regular, full-time shift worked that begins between 1 p.m. and 9:59 p.m., the employee's salary shall include the night shift rate; for each shift worked that begins between 10 p.m. and 6:59 a.m., the employee's salary shall include the lobster shift rate.

| | |
|--------------------------|------|
| Daily Night Shift Rate | 7.00 |
| Daily Lobster Shift Rate | 7.00 |

2. Employees regularly scheduled on shifts for which shift differentials are paid shall receive such differentials for paid vacations and holidays.

SECTION 37 - COST OF LIVING

1. Employees covered by this agreement shall receive a cost-of-living adjustment in accordance with the following formula:

A. The Bureau of Labor Statistics Consumer Price Index (1982 - 1984 equals 100) for the New York Metropolitan area, hereafter called the Index, shall be used for all measurements of the change in cost of living. The point increase in the Index shall be used as a basis for computing the percentage increase (i.e., if the Index increased from 140 to 149.8 within the year, the percentage increase will be 7.0%)

B. The amount of any cost-of-living adjustment shall be the percentage increase in excess of 6% for February of any year over the preceding February (as reported in March of each year) multiplied by the appropriate minimum wage rate in effect on March 31 of any year at the experience level in the job classification for each employee and the resultant amount shall be added to said experience levels. A COLA will not be applied in the final year of this agreement.

2. In no event will a decline in the Index cause a reduction in the wages or in any adjustment thereto.

3. In the event that the Bureau of Labor Statistics shall fail to publish the Index or shall change its base period, the parties shall meet to discuss and apply any such new Index and its application to the cost-of-living allowance. If the parties are unable to agree, then the same

shall be referred to arbitration.

SECTION 38 - RIGHTS AND RELATIONS

1. The rights and relations of the parties hereto are covered by the terms of this agreement. Newsday concedes that it does not have the right to object to any rules or regulations made by the Union for the internal governance of its members insofar as such rules do not conflict with the terms of this agreement or law. All office rules shall be posted by the employer in a conspicuous place where they can be read by the employees, and such rules shall not conflict with this agreement.

2. An authorized representative or officer of the Union shall, upon reasonable notice to the office of the Vice President Human Resources and Labor Relations, be granted admission to the plant and will be provided with an appropriate space for the purpose of meeting with unit employees for the handling of grievances. Such visits must not be disruptive of Newsday's regular business operation.

SECTION 39 - COMPLETE SETTLEMENT

1. This agreement may not be changed except by a writing duly executed by the parties or their undersigned representatives.

2. It is understood and agreed that all matters in dispute or controversy between the parties hereto are completely settled and adjusted by this agreement, and that any and all claims for changes in terms and conditions of employment, or other contractual terms contained in this contract, whether or not raised in negotiations leading to this agreement, shall be deemed completely settled for the duration of this agreement.

SECTION 40 - SUCCESSORS AND ASSIGNS

This Agreement shall be binding not only upon Newsday but upon its successors and assigns.

For Newsday:

NEWSDAY, INC.

By 

Howard Weinstein
Vice President Labor and Employee
Relations

By 

Kathleen A. McCabe
Labor Counsel

By 

MaryAnn Skinner
Assistant Managing Editor for Editorial
Administration

For Union:

NASSAU COUNTY PRINTING PRESSMEN
AND ASSISTANTS UNION, LOCAL 406,
AFL-CIO, SUBORDINATE TO THE
GRAPHIC COMMUNICATIONS
CONFERENCE OF THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

By 

Dennis Grabhorn
President, Local 406, GCC

By 

John LaSpina
Secretary-Treasurer,
Local 406, GCC

By 

Zachary Dowdy
Vice President, Editorial Unit,
Local 406, GCC

ATTACHMENT A
Renewed in 2005 Negotiations
LEAVE OF ABSENCE POLICY

January 14, 1976

Leaves of absence may be granted for fellowships or book writing in the editorial department. We will attempt to meet individual needs under these guidelines:

1. Paid leave for fellowships: -- If a Newsday staffer wins a journalistic fellowship, Newsday will make up the difference between the amount of the fellowship and the staffer's full pay if:
 - The staffer has been a full-time employee at Newsday for a minimum of five consecutive years.
 - Newsday judges that such a fellowship would advance the staffer's professional ability, and that the paper can sustain the absence during the period of the fellowship.
 - The staffer agrees to return to Newsday following the completion of the fellowship.
2. Unpaid leave for fellowships -- Those staffers who do not meet all the criteria above may apply for an unpaid leave of absence for fellowships or other educational purposes. Such leaves will only be granted to staffers who have been full-time employees for at least five (5) years, and only when Newsday judges that it can sustain the absence without hampering its basic journalistic obligations. - This judgment will not be made with the assumption that the staffer normally will not be replaced while on a leave of absence.
3. Unpaid leave for writing books -- Newsday permits staffers to do outside book or special article writing when this does not interfere with their Newsday assignment and when there is no conflict of interest involved of any type. Leaves of less than ninety (90) days may be granted in unusual cases where the staffer has been a full-time professional employee for five (5) or more years and where the paper can sustain the loss without replacement.
4. Number of staffers on leave at any given time -- A maximum of three (3) staffers will be permitted to be on leave at any given time, since Newsday normally will not replace those on leave while they are away. This is a maximum, not a minimum, and a judgment will be made as to whether this many leaves can be permitted depending on the paper's needs. This restriction will supersede all others in reference to when people can go on leave.
5. Benefits while on leave -- Employees who are on paid fellowship leaves will continue to receive all Newsday benefits. Those on unpaid leaves of less than ninety (90) days will receive benefits as long as they continue to meet their benefit payments. Those on unpaid leaves of over ninety (90) days will not receive Newsday benefits while absent; nor will they receive accumulated vacation credit.

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6. Frequency of leaves — No paid or unpaid fellowship leaves or other leaves of more than ninety (90) days will be granted to people who have been on leave for a minimum of five (5) years after their return. If there are more people applying than spots available, preference will be given to those who have not previously had a leave. Leaves of less than ninety (90) days may be given at the discretion of the Editor, within the stated guidelines.

7. Staffers with less than five (5) years experience at Newsday - - If they meet other requirements, will be permitted to apply for Nieman and Alicia Patterson journalistic fellowships, and will be granted leaves of absence, without pay, if they are successful.

ATTACHMENT B
Renewed in part and modified in part in 2005 Negotiations
NEWSDAY AUTO PLAN

July 26, 1994

TO: The Staff
FROM: Bob Keane

Effective Monday, August 1, 1994, the Runzheimer auto reimbursement program will be replaced by a new Newsday auto plan.

The new system is straight forward. All employees will be reimbursed at the current IRS rate. In addition, Editorial Department employees who regularly use their cars for work will receive a daily allowance. If you work in the New York office you'll get \$8.00 on any day that you use your car for business. If you work in the Long Island office, you'll be reimbursed \$4.00 on days that you drive for business.

Employees who do not regularly drive their cars for business purposes will receive only the IRS rate.

It's no longer necessary to provide Editorial Finance with the make and model year of the car you drive.

Please continue to use the current auto reimbursement forms when filing. A new form is being put together by the Finance Department and will be distributed soon.

If you have questions, call Sue Sullivan or Dan Smith in the Editorial Finance Department.

ATTACHMENT C

Renewed in 2005 Negotiations

April 1, 1990

SPORTS DEPARTMENT

OVERTIME AND COMPENSATORY TIME PRACTICES

1. Travel Days: An employee assigned to St. Louis or any city east of the Mississippi will be granted one-half day as travel time in each direction. Such time will be entered on the schedule as a Travel Day and may be granted either at the beginning or at the end of the trip.

For travel west of the Mississippi, one Travel Day will be granted in each direction.

2. Compensatory Time: Employees assigned to cover the training or playing trips of any teams engaged in major professional or college sports are not credited with overtime. In lieu of overtime, compensatory days are given to TRE employees when they work during days off on such trips. Such compensatory time is granted on the basis of a day off for each day worked or for any 12-hour day. If, however, a non-TRE employee is granted a regular day off while away, but then is required to work that day, the employee may elect to receive either overtime pay for that day or another day off.

For Newsday

For The Union

s/ Stanley Asimov

s/ John McDonald

JDA1386

ATTACHMENT D

Renewed in part and modified in part in 2005 Negotiations

ALBANY RESEARCHER, PAY LEVELS FOR PART-TIMERS.

EXCLUSIONS / INCLUSIONS

(April 1, 1987 – Amended 4/1/93)

1. PAY LEVELS FOR PART-TIMERS

Employees working part-time or temporarily in a higher job title will be paid at the next highest step on the job's pay scale

Beginning on April 1, 1993, employees working intermittently in a higher job title will be credited with experience in the higher job title based on the actual number of shifts worked in the higher job title. However, it is agreed that the individuals named in Attachment N will continue to be credited with experience at the rate of one (1) week's experience for each week in which one (1) or more shifts is worked in the specified higher titles until they reach the highest level of experience on the scale.

2. EXCLUSIONS/INCLUSIONS

In determining inclusions/exclusions on Appendices A and B, the number of positions contained in the bargaining unit shall be at least 80 percent of the jobs budgeted each December 31 for the Editorial Department. For this calculation, part-timers under 20 hours a week, temporaries and an additional 17 positions determined by the Company including the Editor, Managing Editors, Assistant Managing Editors and Directors will not be counted.

Because of the experimental nature of the inclusion/exclusion formula, this provision is for the duration of this contract, but may be renewed if mutually agreeable.

For NEWSDAY INC.

BY: s/ Robert E. Keane
Assistant Managing Editor
Administration

BY s/ Barbara J. Sanchez
Editorial Personnel and
Labor Relations Manager

BY: s/ Carol H. Green
Director of Labor Relations

For THE UNION

BY: s/ Michael Weber
Vice President,
Editorial

BY: s/ George Tedeschi
President

JDA1387

ATTACHMENT E

Renewed in 2005 Negotiations

LEASED AUTOMOBILE PLAN FOR PHOTOGRAPHERS

(March 26, 1990 ~ Amended 4/1/93)

Newsday agrees to continue the program of leasing company cars for photographers. In response to presentations made by the Union, led by Dan Goodrich, Newsday's leased car program will make cars available to photographers.

All costs for running the car (e.g., insurance, gasoline, maintenance, repairs, etc.) will be covered by the plan. Based on Newsday's calculations, cars will be available for personal driving, commutation and vacations at the ratio of 70 percent for business use and 30 percent for personal use. All of the costs have been prorated on that basis.

The program is as follows:

1. The fleet will be composed of Taurus or equivalent vehicles or Tempo or equivalent vehicles.
2. Options provided (if available on the car) will be automatic transmission, air conditioning, electric door locks, antilock brakes, power steering, driver's side air bag, AM/FM radio, locking trunk device and anti theft device.
3. The photographer's share will be \$55.08 per week for the Taurus or equivalent vehicle and \$46.73 per week for the Tempo or equivalent vehicle. Until photographers who received fleet vehicles under the experimental program begun in 1990 receive replacement vehicles, photographers driving Tempos or equivalents will continue to pay rates in effect during the labor agreement that expired March 31, 1993. Photographers driving Tauruses will pay \$55.08 per week under the formula implemented on April 1, 1993.
4. Newsday and the Union encourage photographers to use this leased fleet plan. Photographers who prefer to continue using their personal cars under the Newsday auto reimbursement plan currently being administered by Runzheimer will have that option at the time a replacement fleet is leased. After the replacement fleet is in place, they will only be able to alter that choice at Newsday's discretion.
5. If more than a few photographers opt to continue with the Runzheimer plan, we would expect that the costs for the leased car option would increase (some of the costs are based on a volume figure).
6. These costs include estimates for fuel covering normal fluctuations in the cost of gasoline. If there is a major increase in the cost of gasoline, the cost of the increase will be apportioned 70 percent to Newsday and 30 percent to the photographer. This formula assumes the photographer would drive 42,000 business miles and 18,000 personal miles over three years.

JDA1388

7. The car will be resold at three years or 60,000 miles, on the average.
8. Photographers must submit weekly reports on business and personal miles driven to substantiate business use for the IRS.
 - (a) Photographers' monthly reports must be filed no later than the 15th of the following month, with a person designated by the Assistant Managing Editor of Administration. If these reports are not filed by the deadline, all miles driven in the preceding month will be considered personal. Photographers must continue to make timely filings of their weekly reports of business mileage with the Editorial finance department.
 - (b) If the difference between the odometer reading and the business miles is greater than 21,000, the photographer will reimburse Newsday for the excess personal miles at the Newsday auto reimbursement plan (Runzheimer) compact car rate in effect when the car is turned in at the end of the lease as outlined in Paragraph 7 above. This assumes that IRS regulations will permit lease-length accounting, and it is understood that the program must meet IRS requirements. At the end of each year, Newsday and union representatives will meet to review all driving records and will advise any photographer who has significantly exceeded 7,000 personal miles in Year 1 or 14,000 personal miles in Year 2 that he or she may have a liability at the end of Year 3 when the program ends.
9. Should the company car be out of service at any time, the photographer may arrange through Newsday or the leasing company for the use of an emergency car at no cost. The regular weekly payment by the photographers will remain unchanged.
10. When a photographer's car is turned in after three years or 60,000 miles, the car will be resold. If the car is sold for more for the residual value, Newsday will pay the photographer the difference between the residual value and the resale amount. If the car is sold for less than the residual value, Newsday will absorb the difference.
11. Should the photographer desire to do so at the end of Year 3, the leased car may be purchased by the photographer at the residual value, which shall be determined at the time a replacement fleet is leased.

For NEWSDAY INC.

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Administration

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Director of Labor Relations

For THE UNION

BY: s/ Michael Weber
Vice President,
Editorial

BY: s/ George Tedeschi
President

ATTACHMENT F

Renewed in 2005 Negotiations

VDT SAFETY COMMITTEE

April 1, 1990

This letter amplifies the contractual provisions agreed to in connection with the duties and responsibilities of the VDT Safety Committee (Committee) agreed to in the Editorial Contract.

It is the intent of the parties that the Committee will review and make recommendations on any matter concerning RSI at Newsday. Included in its mandate, for example, would be a thorough and expedited review of keyboards, including current equipment and alternatives and the implementation of new keyboards, if necessary and available, and also including issues of keyboard safety, comfort, cost, feasibility and compatibility. Similarly, the Committee would review the current state of radiation testing and make recommendations for appropriate testing of the equipment we have.

It is our intent that the Committee's scope include ancillary matters related to RSI, such as administrative practices and procedures in the dispensing of benefits or purchasing of equipment, the development of alternative work, and consideration of policy and practice with regard to special requests made by employees on the advice of their doctors (including, for example, special equipment or reasonable time off during work for therapy.)

It is not the intent of this letter to detail an exhaustive list of the Committee's functions, nor is it to mandate the Committee's recommendations. Rather it is the intent to illustrate the breadth of the field over which the Committee will have authority to recommend policy and procedures.

s/ Stanley Asimov
Vice President/
Editorial Administration
Newsday

s/ John McDonald
Vice President,
/ Editorial
GCIU, The Union

ATTACHMENT G

Renewed in part and modified in part in 2005 Negotiations

SEVERANCE PAY

Newsday provides a severance allowance if an employee is terminated not for cause. Payments made under the Newsday severance plan are not deferred compensation and employees do not have a vested right to this benefit.

No severance allowance will be paid if the employee is terminated for cause, retires, resigns, refuses to accept another position of equivalent or better pay or is no longer physically able to perform the job for which he or she was hired.

All employees covered within the jurisdiction of this Bargaining Unit shall be covered under the provision of Newsday's Severance Policy as stated in the Newsday Employee Handbook at the time any layoff may occur.

For NEWSDAY INC.

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Assistant Managing Editor
Administration

BY: s/ Barbara J. Sanchez
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For THE UNION

BY: s/ Michael Weber
Vice President,
Editorial

BY: s/ George Tedeschi
President

ATTACHMENT H

Renewed in part and modified in part in 2005 Negotiations

PUBLIC APPEARANCE COMPENSATION SCHEDULE

July 28, 1988

This is a proposal to compensate Newsday reporters and editors for outside and public appearances on behalf of the paper. Key to the proposal is the type of appearance. Compensation should vary, according to the event.

1. Speeches or participation in public panel discussions. This involves preparation of remarks or collection of data for presentation at public events, including those sponsored by civic, university or professional organizations. These are arranged by or through Newsday's editorial administration.

COMPENSATION: \$75.

2. Speeches and panel discussions for which the sponsor pays a fee. This includes TV news shows. COMPENSATION: None. Those occasions when honorariums are offered to speakers will be considered individually. In some circumstances, when accepting an honorarium might pose a conflict of interest, Newsday may reimburse the employee directly. Reasonable transportation expenses also will be paid for by Newsday.

Employees doing radio interviews during off-work hours from home will receive \$50. (instead of overtime).

4. Regular appearances, such as signature on radio or TV show; and special appearances will also be dealt with on an individual basis.

5. Newsday employees participating in the Newspaper in Education program will receive \$75.

All appearances will be coordinated by the editorial administration and must be approved in advance.

Notwithstanding the above, employees subject to this collective bargaining agreement may voluntarily make television and/or radio appearances on Company time, subject to pre-approval by management. For such appearances made on Company time, the bargaining unit employee agrees to waive the payments required by Attachment H to the collective bargaining agreement, as set forth above. If the number of television and/or radio appearances on Company time in any calendar month exceeds twenty (20) appearances, the Company will provide the employee with one (1) comp day and one (1) additional comp day for every ten (10) appearances thereafter within the same calendar month (e.g., one additional comp day when the number of appearances reaches 31, 41, etc.). Upon request, employees covered by this collective bargaining agreement will sign a Consent and Waiver form stipulating to the terms provided for in this paragraph.

JDA1393

For NEWSDAY INC.

BY: s/ Robert E. Keane
Assistant Managing Editor
Administration

BY: s/ Barbara J. Sanchez
Editorial Personnel and
Labor Relations Manager

BY: s/ Carol H. Green
Director of Labor Relations

For THE UNION

BY: s/ Michael Weber
Vice President,
Editorial

BY: s/ George Tedeschi
President

ATTACHMENT I

January 1, 2006

Dennis Grabhorn
Local 406 GCC/IBT
555 Broadhollow Road
Melville, New York 11747-5078

Re: Grandfathered Exemptions from Bargaining Unit

Dear George:

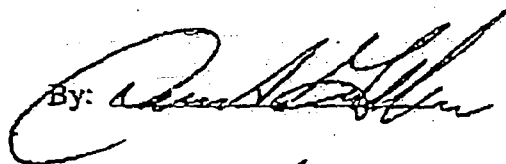
This letter is sent to confirm the parties' understanding with respect to the grandfathered exemptions referred to in Section 3 of the Agreement (Union Security). The following incumbent employees will be exempt from any obligation to join the bargaining unit:

1. Michael Agostino
2. Ronnie Gill
3. Monique Green
4. William McTernan
5. Shaun Powell
6. Jeff Williams
7. Richard Yarwood
8. Maryann Zimmerman

ACCEPTED AND AGREED
FOR NEWSDAY:

By:  Mary Ann

FOR THE UNION

By:  Jacobus L. Bondy
Date signed: 3/27/06

ATTACHMENT J

Renewed in 2005 Negotiations

PHOTO EQUIPMENT

April 13, 1995

It is agreed that Attachment J (Photographer Equipment Plan) shall be amended as follows:

1. Basic equipment necessary for all photographers to perform their duties at Newsday will be provided by Newsday and may be modified at Newsday's discretion. Modifications of equipment shall be based on the photographer's assignment.
2. Photographers who, because of the nature of their assignment, require equipment beyond basic needs will be furnished such equipment from the Photo Department pool.
3. All equipment issued under this Plan will remain the property of Newsday.

For NEWSDAY INC.

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Editorial

BY: s/ George Tedeschi
President

JDA1397

ATTACHMENT K

WAGE SCHEDULES FOR EDITORIAL BARGAINING UNIT

| | Eff. Jan. 1, 2006 | Eff. Jan. 3, 2007 | Eff. Jan. 6, 2008 | Eff. Jan. 4, 2009 |
|---|-------------------------|----------------------|----------------------|----------------------|
| TOP MINIMUM FOR TRE EMPLOYEES | 1,639.88 | 1,672.67 | 1,706.13 | 1,740.25 |
| ASSISTANT EDITOR: | | | | |
| STARTING | 990.81 | 1,010.62 | 1,030.83 | 1,051.45 |
| FIRST YEAR | 1,065.00 | 1,086.29 | 1,108.02 | 1,130.18 |
| SECOND YEAR | 1,147.29 | 1,170.23 | 1,193.64 | 1,217.51 |
| THIRD YEAR | 1,229.53 | 1,254.12 | 1,279.20 | 1,304.79 |
| FOURTH YEAR | 1,490.76 | 1,520.57 | 1,550.98 | 1,582.00 |
| REPORTER, ARTIST, PHOTOGRAPHERS: | | | | |
| STARTING | 908.58 | 926.75 | 945.28 | 964.19 |
| FIRST YEAR | 990.81 | 1,010.62 | 1,030.83 | 1,051.45 |
| SECOND YEAR | 1,065.00 | 1,086.29 | 1,108.02 | 1,130.18 |
| THIRD YEAR | 1,147.29 | 1,170.23 | 1,193.64 | 1,217.51 |
| FOURTH YEAR | 1,229.53 | 1,254.12 | 1,279.20 | 1,304.79 |
| FIFTH YEAR | 1,490.76 | 1,520.57 | 1,550.98 | 1,582.00 |
| LIBRARIAN* & REPORTER/RESEARCHER: | | | | |
| STARTING | 878.22 | 895.79 | 913.70 | 931.98 |
| FIRST YEAR | 949.63 | 968.63 | 988.00 | 1,007.76 |
| SECOND YEAR | 1,034.71 | 1,055.40 | 1,076.51 | 1,098.04 |
| THIRD YEAR | 1,108.91 | 1,131.08 | 1,153.71 | 1,176.78 |
| FOURTH YEAR | 1,193.96 | 1,217.84 | 1,242.19 | 1,267.04 |
| FIFTH YEAR | 1,273.62 | 1,299.09 | 1,325.08 | 1,351.58 |
| * CHIEF LIBRARIAN MINIMUM IS 15% ABOVE SCALE | 1,464.66 | 1,493.96 | 1,523.84 | 1,554.31 |
| ESG TECHNICIAN, LIBRARY DATA BASE ADMINISTRATOR: | | | | |
| STARTING | 878.22 | 895.79 | 913.70 | 931.98 |
| 6 MONTHS | 911.31 | 929.54 | 948.13 | 967.09 |
| FIRST YEAR | 949.63 | 968.63 | 988.00 | 1,007.76 |
| SECOND YEAR | 1,007.38 | 1,027.53 | 1,048.08 | 1,069.04 |
| THIRD YEAR | 1,073.23 | 1,094.69 | 1,116.59 | 1,138.92 |
| FOURTH YEAR | 1,150.58 | 1,173.59 | 1,197.06 | 1,221.08 |

| | | | | |
|--|----------|----------|----------|----------|
| RESEARCHER, SCOREBOARD TECHNICIAN: | | | | |
| STARTING | 795.96 | 811.88 | 828.12 | 844.68 |
| 6 MONTHS | 845.34 | 862.24 | 879.49 | 897.08 |
| FIRST YEAR | 889.26 | 907.04 | 925.18 | 943.69 |
| SECOND YEAR | 938.64 | 957.41 | 976.56 | 996.09 |
| THIRD YEAR | 993.58 | 1,013.45 | 1,033.72 | 1,054.39 |
| FOURTH YEAR | 1,051.26 | 1,072.28 | 1,093.73 | 1,115.60 |
| LIBRARY INDEXER, TRAFFIC COORDINATOR: | | | | |
| STARTING | 710.94 | 725.16 | 739.66 | 754.46 |
| 6 MONTHS | 752.07 | 767.11 | 782.46 | 798.10 |
| FIRST YEAR | 795.96 | 811.88 | 828.12 | 844.68 |
| SECOND YEAR | 853.61 | 870.68 | 888.10 | 905.86 |
| THIRD YEAR | 911.31 | 929.54 | 948.13 | 967.09 |
| FOURTH YEAR | 993.58 | 1,013.45 | 1,033.72 | 1,054.39 |
| LISTER, SECRETARY, EDITORIAL ASSISTANT, TRANSCRIBER, ELECTRONIC LIBRARY TECH: | | | | |
| STARTING | 639.48 | 652.27 | 665.31 | 678.62 |
| 6 MONTHS | 661.50 | 674.73 | 688.23 | 701.99 |
| FIRST YEAR | 697.17 | 711.11 | 725.34 | 739.84 |
| SECOND YEAR | 746.65 | 761.58 | 776.82 | 792.35 |
| THIRD YEAR | 795.96 | 811.88 | 828.12 | 844.68 |
| FOURTH YEAR | 878.22 | 895.79 | 913.70 | 931.98 |
| SPORTS ASSISTANT - P/T (PER HOUR): | | | | |
| STARTING | 18.28 | 18.64 | 19.02 | 19.40 |
| AFTER 100 SHIFTS | 18.91 | 19.28 | 19.67 | 20.06 |
| AFTER 200 SHIFTS | 19.91 | 20.31 | 20.72 | 21.13 |
| AFTER 300 SHIFTS | 21.32 | 21.75 | 22.19 | 22.63 |
| EDITORIAL AIDE, TELEPHONE OPERATOR: | | | | |
| STARTING | 458.00 | 467.16 | 476.50 | 486.03 |
| 6 MONTHS | 479.00 | 488.58 | 498.35 | 508.32 |
| FIRST YEAR | 508.00 | 518.16 | 528.52 | 539.09 |
| SECOND YEAR | 537.00 | 547.74 | 558.69 | 569.87 |
| THIRD YEAR | 573.00 | 584.46 | 596.15 | 608.07 |
| FOURTH YEAR | 602.00 | 614.04 | 626.32 | 638.85 |

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2016, an electronic PDF of Joint Deferred Appendix was uploaded to the Court's CM/ECF system, which will send notice of filing to counsel for all participants in the case who are registered CM/ECF users:

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Date: November 23, 2016

MICHEL & ASSOCIATES, P.C.

s/ C. D. Michel

C. D. Michel

Counsel for Petitioner